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LETTERS

TO

A NOBLEMAN,

PROVING

A LATE PRIME MINISTER

TO HAVE BEEN

JUNIUS;

AND DEVELOPING THE SECRET MOTIVES

WHICH INDUCED HIM

TO WRITE UNDER THAT AND OTHER SIGNATURES.

WITH

AN APPENDIX,

CONTAINING

A CELEBRATED CASE,

PUBLISHED BY ALMON, IN 1768.

Johnston, Andrew Gregory

— Spiritus et vita reddit bonis
Post mortem ducibus.—*Hor. C. l. 4, O. 8.*

“ Be it lawful that I invoke thy ghost.”—*Shakspeare.*

LONDON :

PRINTED FOR MESSRS. LONGMAN, HURST, REES, ORME AND BROWN,
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G. WOODFALL, PRINTER, ANGEL COURT, SKINNER STREET, LONDON.

THE HISTORY OF THE
ANGEL COURT.

THE HISTORY OF THE
ANGEL COURT.

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ADVERTISEMENT

TO

THE PEOPLE OF ENGLAND.

OCT 29 1940

HAVING heard it whispered, in November last, that Junius had fought the battles of a late illustrious nobleman, with a remarkable spirit of gallantry and perseverance, I turned my attention to Mr. Woodfall's Edition of his Letters, that I might satisfy myself of a fact to which I had never adverted. I had formerly read the productions of this elegant writer as many others have done, dazzled by the beauty of his style, and the display of his public spirit; I knew only that he had written to the King; and that he had corresponded with sir William Draper and Mr. Horne; but of his politics, or his views, I knew nothing.

The fact was confirmed by investigation. I was surprised to find the cause of the nobleman defended, directly or indirectly, in near sixty Letters. The writer became intemperate at the

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first mention of it, and, spite of his oratory, declamation, patriotism, public spirit, and all his talents, I saw a certain predominant interest pervading the whole course of his Letters.

With this conviction, I examined all the pamphlets written since the publication of Mr. Woodfall's book, to support the claims of various candidates for this literary distinction; but their claims to me seemed all visionary alike, for I found in none of them the least connexion with that predominant interest, of which I had become sensible.

Disappointed here, I raised my thoughts to the *object* of that interest, for the vigour and pertinacity with which it is maintained, had satisfied me, that Junius must have been a person not far removed from it. Hence the origin of these Letters, and the result which is before you. As I have no interest to serve, nor any passion to gratify, beyond the curiosity attached to the mystery of Junius, so I am sensible that my arguments cannot affect you, except they be incontrovertible. In this confidence I dedicate them to you, to whom, during half a century, the voice of thousands has dedicated Junius.

Ereptum Stygiis fluctibus Æacum
Virtus et favor et lingua potentium
— Divitibus consecrat insulis.

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IN presenting these Letters to the Public, it has been thought advisable to furnish every possible information respecting the grant to sir James Lowther, from which originated the writings of Junius; and although several Extracts, and one whole Letter, of Mr. Grey Cooper's, selected from it, are already inserted in this volume, yet the Case of the Duke of Portland, as published by Almon, in 1768, is so very rare, and of such essential importance, that it has been deemed necessary to reprint it entirely for the complete satisfaction of the Reader. The Extracts and the Letter were incorporated in the text before the necessity of giving the whole case was urged; otherwise the Reader would have been referred to it for the passages in question, instead of their being twice printed.

وَمِنْ أَنْجَانِ الْمَلَائِكَةِ وَالْمُلَائِكَةُ مُنْذَرُونَ

reducing Park distance to 1000m per trip. The results suggest that the introduction of a 1000m limit on the distance between the home and the workplace would result in a 10% reduction in the number of trips made by car. This is equivalent to 1.5 million trips per day. This is a significant reduction in the number of trips made by car, which is a major source of greenhouse gas emissions. The introduction of a 1000m limit on the distance between the home and the workplace would also result in a 10% reduction in the number of trips made by car. This is equivalent to 1.5 million trips per day. This is a significant reduction in the number of trips made by car, which is a major source of greenhouse gas emissions.

(9)
LETTERS,

&c. &c.

LETTER I.

MY LORD, I at need could wish I had

21 Dec. 1815.

I THANK you for Woodfall's edition of Junius's Letters, which I have read with great interest, though not without some mortification, for I have experienced in common with yourself and the public, the regret attendant on disappointed curiosity. The new light which we derive from the exposition in the Preliminary Essay, serves only to shew that our long cherished fancies and suspicions have been all misplaced, the subjects of them are successively turned off the stage, and no prospect whatever dawns on us at present of discovering the real author.

After the able exposition alluded to, wherein I had conceived the claims of Edmund Burke to have been silenced, I am not a little surprised to see them revived in the elaborate essay of Mr. Roche, but I fear that the pertinacity of this writer has arisen from an early partiality to that great orator, rather than from any conviction by reason or experience. He says, (pages 4 and 5) that having read the Letters of Junius

thirteen years ago, and but young at the time, he was so forcibly struck with their undoubted merits, that they soon became his daily companion; so much so indeed, that there was scarcely a part of them which he could not repeat with facility; “with all my *partiality* for them however” (he continues) “at that time, and anxious as I must have been to learn something of the writer, several years elapsed before I ventured to *form any opinion* concerning the person who was the real author. *One opinion* indeed I had pretty early formed, namely, that of all the persons to whom the letters had been attributed, Mr. Burke was the only man, (were we to judge by the merits of the works acknowledged by each) whom I did not deem inadequate to the performance.”

This is rather a strong opinion to commence with in favour of the person whom he subsequently, if not consequently, not only suspects, but has discovered to be the author.

This gentleman admits, that he never heard Burke mentioned as the author of Junius, without remarking that some one or other in company said it was impossible, as their *styles* were so different; but this remark attaches only to minor critics, and Mr. Roche dismisses it with a degree of indignation, because he can prove that he could write like Dr. Lucas.

I am free to own that I see a decided incongruity in their styles—but at the same time I do not feel authorized in denying that it was possible for Burke to have written in the manner of Junius, though I do not think it very probable, especially through a long series of political letters;—and that he should have argued one way in his own character, and *vice versa* in disguise, seems to imply a contradiction in politics, besides an unreasonable, unnecessary, not to say despicable double dealing, that no prospect of benefit, or concealment, nor any fear of discovery could ever have instigated in such a man as Mr. Burke.

But the author of the *Essay*, in support of his claims, appeals to men of education and reflection, and to them only, to bear witness to the internal evidence of his case. The declaration of Burke to sir Wm. Draper, in answer to that gentleman's inquiry, his spontaneous declaration to Dr. Johnson, and Mr. S. Woodfall's positive denial of Burke's being Junius, having at the same time no weight with himself whatever. This is his case.

At the dismissal of lord Rockingham, in 1766, Burke, though placed above want, was still poor enough to write against the ministry that succeeded, from disappointment, as well as in hopes of amending his fortune; conse-

quently he "belaboured" the duke of Grafton, and lord Bute, because the desertion of the first, and the secret influence of the latter produced the dismissal of lord Rockingham's administration.—*Hinc illæ lacrymæ.*—Hence the origin of Junius's Letters; and this the sole reason for which Burke under the "imposture of the old Roman name," vilified to the last degree those two noblemen, and more particularly exposed the first, not only as a renegado in party, but as the wickedest man and minister, and the most flagitious, abominable, and despicable creature that ever lived! *to the Musæus*

That Burke and Junius differed on American taxation, on the duration of Parliaments, that one looked on the profession of the law as the noblest study and the noblest science, while the other regarded it with contempt—that Junius professed, and ever manifested, an esteem and friendship for Mr. Woodfall; although Burke prosecuted him with the most virulent and implacable acrimony:—all this, (though he addresses himself to men of education), we are told by implication, is as dust in the balance, and we have only to take care that it be not suffered to blind our eyes.

However, I will not examine any farther the pretensions of this candidate, nor hint at a name for the compound, contradictory and un-

accountable character that his advocate would give him, subject to the additional whim of enabling his son (a boy at Westminster School) to prophesy to Dr. Vincent the conception and birth of his successive lucubrations.

I do not think that many persons of education and reflection will feel the conviction demanded.

Burke was suspected by some of his contemporaries, as Mr. Roche suspected him, because they might know no other worthy of incurring the suspicion, and were not at the pains to analyse his principles, or thoroughly investigate his motives. Mr. Roche, indeed, *has analysed his characteristics*, but with what success you will judge for yourself. I resign the advocate and his client to your Lordship, premising that I am open to argument, and that if his reasoning convinces you, you will be at the pains to make a convert of your humble servant.

LETTER II.

28 Dec. 1815.

I FIND your Lordship to be no less an infidel than myself in the case of Mr. Burke, and wish I could flatter myself with any sympathy for the opinion you seem inclined to adopt in favour of Mr. Glover.

I have no more faith in this last gentleman, though his advocate asserts (as a corroborative fact I suppose) that he wore a bag, with his wig accurately dressed, and carried a small cocked-hat under his arm before *the year 1776*, and in this costume walked constantly in fine weather from his house in James' Street, Westminster, into the city.—This is the tall gentleman, “*stat magni nominis umbra*,” thus substantiated, throwing the letter into Mr. Woodfall’s Office in Ivy Lane.—But, alas! Mr. Glover was not tall, and we are to get over this difficulty on account of its having been midnight when the letter was thrown in, or to solve it in any better way if we can.—I can not.

But seriously, I have yet to learn whether any sufficient motive for these letters existed with Mr. Glover, who had made a figure, “a conspicuous figure in the city,” (I do not allude to the cocked-hat, wig and bag) so early as the year 1739; where, by his influence and activity he had set aside sir George Champion’s election for the mayoralty. I have looked in vain for the *injury*, which thirty years after, and when he was greatly advanced in life, could stimulate him to commence and continue so daring and inveterate an attack on the dukes of Grafton and Bedford, lords Bute and Mansfield, and, indeed, almost all the administration separately

and collectively, in letters which breathe a spirit of the deepest animosity, and most rancorous detestation: sentiments that can hardly be accounted for on any principle of political difference or aversion; and seem rather to owe their origin to some private source, to some less public and more peculiar cause of hatred, to some personal, unexpiated, and perhaps inexpiable offence.

I have not forgotten, that as an extenuation of his vehemence, Junius has once declared, that "there is a holy mistaken zeal in politics as well as in religion;" but still I doubt that politics alone, or patriotism combined with them, should have elicited such vengeance and invective, unaided by any more urgent motive, when I recollect how slightly he speaks of patriots, and that he condescends even to put his printer, Mr. Woodfall, on his guard against such persons.

As for the advocate of sir Philip Francis, or rather of Dr. Francis and his son, I do not suspect you will be much interested by his endeavours to find in *them* the *authors* of Junius. There are many who would differ with Mr. Roche, of whom we have spoken already, on their account, and admit their capability, jointly or individually, to have written the letters; but their advocate has none or but few arguments, and his materials, as he pleads, are scanty. Wherefore, if you

will, you may do him the favour of believing as he wishes you to do, that the Letters of Junius were written by Dr. Francis and his son Sir Philip.

The claims of Mistress Serres for her reverend uncle, Dr. Wilmot, are too absurd for any inquiry at all.

LETTER III.

MY LORD, 4 January, 1816.

AMONGST all the tribe of candidates for this literary distinction, of which there are no small number, it seems evident, I think, that the public assent or belief has never been endangered, except for a very short time, in favour of any one; both have been almost universally withheld, and no conviction has ever followed the arguments, suspicions, or insinuations of any writer. The public have made no advance in discovery, and, in fact, know no more of Junius at this moment than they did forty years ago: the utmost pitch of knowledge to which they have arrived on the subject, being like that professed by Socrates, the assurance and confirmation of their own ignorance.

On a candid consideration of this circumstance, I am much inclined to conjecture that Junius asserted the truth, when he declared that no man was privy to his secret; it may easily be

conceived that he should strive to retain it in his own breast : his reasons were ample, but as these reasons would not have affected any other person than the author, I much doubt his venturing the extension of the secret ; and though it may seem hard to say, that any *one* person to whom it had been confided would not have proved himself a faithful depositary, yet I think imperious prudence with regard to self-preservation must have sufficiently urged the extreme danger attending such an important communication to one *not necessitated to conceal it* ; and no one, perhaps, but the author, could well be in this predicament.

Whence, then, is the reason that this mysterious Junius has eluded all research, and perplexing us with his intangible shadow, has set at nought all our attempts to get possession of the substance ? Believe me, the past like the present generation has been ever in an error, in looking to the principles and patriotism of this writer for the discovery of his name and quality.

In perusing a less modern edition of his works than that before us, I have sometimes ruminated over one of its vignettes which, as emblematic of the patriot in power, represents a plank across a beam, in the manner of a see-saw, one end of the plank being occupied by private, and the other by public interest, under the semblance of two bags, “*patriæ*” and “*meum.*” The latter being

the more ponderous, as you might conceive, has weighed with the patriot down to the very ground, but "*patriæ*" is in the air.

I would ask the man who should argue and draw his inference on this point of patriotism, what is a patriot? Is he, as Fielding propounds, a person in want of a place? Does he serve, or wish to serve his country gratuitously, or for the sake of serving himself? Does he voluntarily sacrifice his own interest? Does he commit the "*meum*" to the scale in which he has laid the interest of his country, that it may outweigh that of *her* enemies; or does he add the interest of his country to the scale in which he has already placed his own, to lighten the balance of *his* own enemies?

I believe most patriots are pleased with being paid for the services they render their country, and always hope to thrive by them; and I suspect we should arrive at some surer grounds for conjecture respecting this *ignis fatuus*, if we were to find out the man whose essential interest it was to vilify lord Bute, the duke of Grafton, and his administration, in addition to the paramount duty of serving his country.

Horne Tooke said, a few years back, that he knew him, and that he was then still alive.

LETTER IV.

9 Jan. 1816.

I READILY assent to your observation respecting the rank and station of Junius. His knowledge and facility, his extensive and rapid information, prove him to have been a man deeply interested in the politics and contrivances of the government, and accustomed to discover the machinations of the ministry even in their conception. He certainly must have been perpetually about the Court; and, no doubt, of such consideration, as to be privy, in his own right, to all its proceedings.

His conduct to Mr. Woodfall, on every occasion, indicates that his fortune was ample, and that his mind was animated by those sentiments which belong not only to wealth but to rank. He was no needy adventurer, who wrote to the passions and caprice of the multitude, and entertained them with subjects magnified to be monsters, that he might himself *pick the pockets* which he advised them to shut; he was no hireling writer, prostituted to base lucre, no humble member of a party, no mean drudge, no tool; in his opinions he is noble. Whenever he appears in a probable character, he is great and generous, above every idea of deriving a merce-

nary emolument from his writings, impatient and indignant at opposition, and fiery and implacable in his resentments. I have long felt assured this is no common man ; and when you desire me to search for Junius amidst the discontented of his day, I look instinctively to the discontented of the noblest rank.

“ Think of a genius not born in every country, or every time ; a man gifted by nature with a penetrating and aquiline eye, with a judgment prepared with the most extensive erudition, with an Herculean robustness of mind, and nerves not to be broken by labour ; a man who could spend twenty years in one pursuit *.” Such a man was Junius.

I cannot seek him among discontented politicians, for he was *apparently* bound to no set of men ; and though he thought with Mr. Grenville, he is less distinguished by any political attachments or sympathies, than by his abomination of one particular administration ; on the score of politics *alone* he has hitherto eluded our curiosity, and perhaps ever would.

As an injured person, supposing a sense of wrong and injustice indispensable in the provocation of such letters, to whom should we particularly direct our attention ? The two principles of the *Montesquieu* * Burke on Montesquieu.

pal sufferers for their conduct and opinions, Wilkes and Horne Tooke, have already been suspected and acquitted. I know but of one person in the sphere of life where my imagination wishes to establish Junius, whose persecution would be thought a sufficient stimulus for his writings, and whose situation might have engendered the feelings that would have urged him to avenge it alone and in disguise. When the person to whom I allude shall prove to be the substance of this shadow, the individual writer, the *autorator*, the very man, I think the world will ponder in amazement on the deep-laid scheme, for such it must then appear to be, by which he effected his aim, and gained the object he had in view. However, I will delay my arguments for the present, until I shall have thoroughly examined a book I have lately obtained, explanatory of this persecution.

The first idea that flashes on the mind, engaged in developing a secret and mysterious history, may be too dear to the fancy to be trusted with entire confidence; but I have not trusted it lightly. I will make you acquainted with it in my next: meanwhile I shall attend to your desires, and endeavour to learn something of the private history of one or two of those patriots to whom you allude in your last.

LETTER V.

11 January, 1816.

I HAVE obeyed your wishes without deriving any information that can serve your curiosity, except in respect of the person whom I mentioned in my letter of the 9th instant, as likely to answer some points of the case which we have made out as indispensable to Junius. Him I have pursued through the mist of politics and patriotism, and still descry to be the same, whose wrongs elicited not a spark, but a blaze of fire, and urged him with an almost chivalrous gallantry, to encounter singly a host of enemies. But as he had threatened during his life, he has carried his secret with him down to the grave, and we must look into the land of spirits to hail his presence, or be contented to invoke his memory, which here indeed shall never die.

Non ego te meis

Chartis inornatum silebo,

Totve tuos patiar labores

Impune, Lolli, carpere lividas

Obliviones.

Do not imagine, my Lord, that I presume to think of giving fame to Junius, to him, who like the sculpture of Praxiteles, already stands

a monument and model to all future ages. I do not entertain so idle a conceit, but I will animate the statue which he, like Pygmalion, has rendered worthy of life, and even of immortality.

To hail his presence from the land of spirits, to breathe life into the statue, and to find a substance for the shadow of the mighty name, I shall employ an invocation of his own, and call from among the dead, the soul of the third and late illustrious Duke of Portland.

WILLIAM HENRY CAVENDISH BENTINCK
—“ stand forth—for thou wert the man !”

It is not with any want of feeling, nor with any light feeling, that I have descended into the silence of the tomb; I would visit, without violating, that sacred depository of the dead, and bring only into day the flame that still hovers round the ashes of departed worth and genius. There is something solemn and almost awful in thus waking a mighty spirit from his repose. While the sorceress trembled at the vision which she had summoned from the depths of the earth, Saul bowed down and humbled himself before the presence of Samuel, ascending out of Hades.

Methinks I behold you still looking with astonishment at the vision I have placed before you, and demanding already with anxious impatience the evidence and proofs which must have led me to

this conclusion, and without which I can never hope to substantiate so serious and unexpected a charge. They are before us—peruse *all* the Letters of Junius, and particularly the Miscellaneous Collection. I have drawn my inference from their evidence, and will now lay before you my reasons for this opinion, trusting to your candour that I have no motive whatever for so doing, beyond a natural love of truth, and the gratification of a harmless curiosity, though at any rate it has never been considered otherwise than honourable, to have incurred the reputation of writing Junius's Letters. If I should prove my assertions, I shall have taken nothing from the reputation of their subject; if I cannot prove them, the memory of a great man is still as I found it. I would not however anticipate your assent, which is not necessary to my cause: I am contented that you should only entertain no prejudice against it, because that might prevent your paying it as much attention as I hope you will find it merits.

The leading business of Junius's Letters, was the restoration of the duke of Portland's estate, part of which had been taken from him in the year 1767, and granted to sir James Lowther, who had married the daughter of lord Bute. To this circumstance your Lordship is no stranger, it rests with me to shew that it was

the *direct* if not the only cause of Junius's writing. I must beg you however to bear in mind, that if this were the object of Junius, he could hardly have chosen a more probable means for its attainment, than the disgrace and dissolution of that administration, which, under the banners of lord Bute, and in regular hostility to the Whig interest, had already removed the dukes of Newcastle and Devonshire from the Cabinet, and now sought to deprive the duke of Portland of his property and influence in Cumberland. Junius is always a staunch Whig, and throughout his numerous writings still looks forward to the return of his party to power. I shall premise that it was as natural to the duke of Portland to secure this last point, as to attempt the preservation or restoration of his estates; for to great minds power is no less precious than wealth.

The opinion I profess in commencing this investigation is, that Junius independently and primarily sought the security of the duke of Portland's estate, and in support of this opinion I shall follow the course of his letters, according to their dates, and point out the prominent features of that disposition which pervades them all.

The first public letter of this celebrated person was received by Mr. Woodfall on the 28th of

April, 1767. At that time he had not assumed the name by which he has since become so highly distinguished. The letter is signed Poplicola, and contains a severe invective against lord Chatham, who being then a coadjutor of the duke of Grafton, was of so much importance to his Grace, that the latter in reply to a letter of Mr. Wilkes's soliciting the royal clemency, answered only, that 'application must be made to lord Chatham, and that he did nothing without lord Chatham.' In the same letter Junius, or more properly speaking, Poplicola, reproaches lord Chatham with sacrificing his brother-in-law, lord Temple, and promoting his rancorous enemy the duke of Grafton; with making the favourite lord Bute the only partner of his power, after having spent years in declaiming against his pernicious influence. He considers him as a dictator in time of peace abusing the power entrusted to him for remedying the disasters of an unsuccessful war, and having ever in view the destruction of his country's constitution; to effect which, and be consistent with his main design, he says "he must exert himself to weaken and impoverish every rank and order of the community, which by the nature of their property, and the degree of their wealth, might have a peculiar interest in the support of the established

government, as well as power to oppose any treacherous attempt against it. The landed estate must be oppressed?"

According to the statement in Shebbeare's pamphlet, the ancestor of his grace of Portland, the favourite of William the Third, received from that Sovereign, five parts in six of the whole county of Denbigh in Wales, 135,820 acres of the forfeited estates in Ireland, besides large donations of land in England, which are not specified.—The English grants, however, were the honor of Penrith, *including the Forest of Inglewood, and the Castle and Manor of Carlisle in Cumberland*; which at this time (1767) had been in the possession of the Portland family for 65 years, and were now reclaimed, as never having been included in the royal grant, on the plea that *nullum tempus occurrit regi*, and that the Crown can revive a claim for lands thus held without a legal title, in spite of any length of possession. The real object of this revived claim, and the grant of the lands to sir James Lowther, was the purpose of carrying a depending election for the county of Cumberland in his favour, against the interest of the duke of Portland, who brought in the members for Carlisle as well as those for the county. Mr. Shebbeare asserts, that not only that part of the forest granted to sir James Lowther had never been granted

to the other family, but that it had been illegally assumed, and that the manor of Carlisle had never been a grant from the Crown (to the earl of Portland) was evident, because it was a purchase for life of the last surviving lessee, to whom it had been granted by Catharine queen dowager of Charles II. and consequently (he adds) after the death of that lessee the Portlands had held it illegally from the Crown.

This information is from the pen of a man who had been severely punished in the reign of George II. for abusing the King, or, as he says, for writing a sixth letter to the people of England, and who was now converted to extreme loyalty in favour of George III. receiving a pension from the reigning administration, to whom this explanation really belongs; for it was their plea of right to grant the forest and castle to sir James Lowther, who agreed to recover them at his own expense; and it was in anticipation of the publicity and acknowledgment of all these arrangements, that Junius's first public letter had appeared.

LETTER VI.

19 15 January, 1816.

ON the 9th of July, 1767, sir James Lowther presented his first memorial to the treasury, praying a grant of the forest of Inglewood and

soccage of the castle of Carlisle. The memorialist says he is informed, that the possession of the premises has been for many years withheld from the Crown; and that no benefit arises to the Crown therefrom; therefore he prays a lease for three lives on such terms as to their lordships shall seem meet.

The board of treasury referred this memorial to the surveyor of the crown lands for his opinion thereon, who reports on the 7th of August, 1767, that the forest of Inglewood and soccage of Carlisle were not conveyed by king William's grant to the earl of Portland; but were still vested in the Crown, and he therefore recommends a lease to be granted to sir James Lowther, for three lives, on certain reserved rents; viz. 50*l. per annum* for the soccage of Carlisle, and 13*s. 4d.* for the forest, besides a third part in both of such lands as shall be *recovered* from the Duke.

Meanwhile, as if in anticipation of this memorial and report, the author of Junius, under the signature of Anti Sejanus, Jun. had attacked lord Bute on the 24th June in the same year, accusing him of creating and fomenting confusion, sacrificing the honour of a King, and destroying the happiness of a nation, from a natural itch for doing mischief. He charges him with cowardice, avarice, and ambition, and spurns him for having had the good fortune to corrupt lord

Chatham, on whom he then vents a little spleen. "Who, indeed, could have suspected that it should ever consist with the spirit and understanding of that person, to accept a share of power under a pernicious court minion, whom he himself had affected to detest or despise, as much as he knew he was detested and despised by the whole nation. I will not censure him for the avarice of a pension, nor the melancholy ambition of a title. These were objects which he perhaps looked up to, though the rest of the world thought them far beneath his acceptance.

"But to become the stalking-horse of a stallion, to shake hands with a Scotchman at the hazard of catching all his infamy, to fight under his auspices against the constitution, and to receive the word from him *prerogative and a thistle*, by the once respected name of Pitt, it is even below contempt."

He afterwards recommends lord Townshend to paint him as a lunatic brandishing a crutch, or brawling through a grate, or writing with desperate charcoal a letter to North America. On this occasion he uses the signature of Correggio, and as he would therein caricature several persons in power, I will briefly recapitulate his bitter sarcasms, to shew what inveteracy the author of Junius felt against those who were depriving the duke of Portland of his estate. He

had an additional reason without doubt, beside the one I assign, as the cause of reviling the ministry;—ambition for power himself. But this will appear a secondary consideration for a long time to come, and though I shall attend to it hereafter, I regard Junius at present as the advocate of this apparently injured nobleman.

Lord Camden, then Lord Chancellor (already denominated an apostate lawyer), is to be represented “with the laws of England under his feet, and before his distorted vision a dagger, which he calls the law of nature, and follows, as, it marshals him the way to the murder of the constitution.” He afterwards calls him Judge Jefferies. Charles Townshend the Chancellor of the Exchequer, and his brother Lord Townshend, (the amateur painter) Lord-Lieut. of Ireland, were described in his fourth letter, dated Aug. 25th, as *enfants perdus*, and are now “with little variety, subjects for the same portrait; a boaster without spirit, and a pretender to wit, without a grain of sense; a vain-glorious idler without one single good quality, either of head or heart. Mr. Conway, secretary of state for the northern department, is recommended to the painter as Caution without foresight, a motley thing, half civil, half military. He sits by the side of the duke of Grafton, and eats the end of a period, beginning

with “I did not say I would pledge myself;”—
the rest he eats.

The duke of Grafton is “a furious charioteer,
driving down a precipice, while Britannia, a
bloody carcase, lies mangled under his wheels.”

Lord Northington, president of the council,
blasting *à la Tilbury*, a reasonable number of
decrees piled up with the word reversed in capi-
tal letters on each side of them. Lord Shelburne
secretary of state for the southern department,
as *Malagrida*; a little *more devil* about his eye-
brows is required for his person—a blinking bull-
dog is to be placed alongside as the emblem of
his mind. Thomas Townshend, afterwards lord
Sydney, as half a paymaster with a globe of
paper on his eye, and a label out of his mouth,
indicating, “No, sir, I am of t’other side.” The
earl of Bute behind a curtain, and the marquis
of Granby, commander in chief, and lord Bar-
rington, secretary at war, pulling the two ends
of a rope, and strangling three-fourths of the
army by means of a slip-knot in the middle.
Sir Gilbert Elliot, at that time Irish Secretary,
as a Scotchman teaching the Irish people to
pronounce the English language. In this letter
he ridicules and caricatures the Scotch clerks and
Scotch secretaries who “may be *itched* out to
the life, with one hand grasping a pen, the other

rivetted in their respective——.” Junius never omits an occasion of reflecting upon this nation. The succeeding letters, without signatures, keep up the same spirit of caricature upon the ministry, especially in the grand council for the affairs of Ireland.

In letter the ninth, (Dec. 5,) on the King's speech at the opening of the parliament, he says, “ it is notorious, the ministry subsist only by creating *divisions* among others, that their plan is to separate party from party, friend from friend, brother from brother; that their motto is, *Divide et impera.*” — In the tenth he professes an esteem for Mr. G. Grenville, and says, “ it is a truth, too melancholy and too certain for Great Britain, that there does exist a particular set of men, base and treacherous enough to have enlisted under the banners of a lunatic, to whom they sacrificed their honour, their conscience, and their country, in order to carry a point of party, and to gratify a personal rancour.” Here he alludes to Mr. Wilkes. I shall resume the subject in my next letter, wherein I hope to point out the measures still pursued by the ministers, with respect to the duke of Portland's case, as either preceding, accompanying, or immediately following, the corresponding attacks of Junius, whose knowledge and information, as an individual, we have allowed to be rapid be-

yond example, and may, therefore, imagine sufficient to account for the attacks having been hitherto in advance. But, if you doubt his information as an individual, being sufficient, and admit that the object of the letters was to substantiate the Duke's case, how will you account for the rapidity of his information, without admitting that the information must have been gained either from the Duke himself, or from some of his immediate dependants or lawyers? Even as an individual, whence could he have derived his knowledge so much in advance of the public, but from the sources I have mentioned, and why should he, as an individual, bring this particular question so pertinaciously before the people of England?

LETTER VII.

17 Jan. 1816.

I WILL put you in possession of some more facts of the duke of Portland's case before I call your attention to the letters which followed them in the work before us. On the 2d of September, 1767, the duke of Portland received authentic information (notwithstanding all the silence and reserve of office) of sir James Lowther's memorial, and the surveyor-general's report, for so it is called. He immediately applied

for a suspension of all proceedings in the matter, till he had an opportunity of laying his title before the board. The treasury, in the interim, had adjourned till the 9th of October; and during this vacation, all lawyers being absent from London, the Duke could make but little progress in preparing his title. In the beginning of October, *viz.* on the 8th, caveats were entered in the offices of the chancellor of the exchequer, and the auditor of the land revenue for the county of Cumberland, to prevent any lease or grant passing by surprise to sir James Lowther; and the Duke presented a memorial to the board of treasury, praying to be heard by counsel, in defence of his own title. He received an answer through Mr. Grey Cooper, their secretary, that no step should be taken towards the decision of the matter in question, till his Grace's title had been stated, referred to, and reported on, by the proper officer, and fully and materially considered by the board of treasury. This answer was dated October 10th, 1767; and the secretary mentions in it, that upon the reading of his memorial, the duke of Grafton and the other lords directed him to make that communication.

The next step of the duke of Portland was to have recourse to the surveyor's office, to inspect the surveyor's court-rolls and muniments, on which the surveyor had founded his report. Ap-

plication was made to Mr. Zachary Chambers, the deputy-surveyor, for that purpose; the then surveyor-general being an elderly gentleman, who had lost his sight by age, and was incapable of business: Mr. Chambers refused to comply. The duke of Portland met the duke of Grafton on the 25th of November, at court, and had a conference with him on the subject; and, a few days afterwards presented another memorial, dated Dec. 2, praying an order for the inspection of the surveys, &c. that related to the question. The secretary informed the Duke's agent, on the next day, that their lordships had granted the request, as to the inspection of the surveyor's office, not upon a foundation of right, but as a matter of candour and civility; and that the order would be drawn up by Mr. Watkins the clerk. The agent applying to Mr. Watkins was put off by him till the middle of the next week; he afterwards called twice, and paid the fee for the order, which the clerk said had been sent to the surveyor-general, and refused a copy, alleging that the order sent to the surveyor-general was sufficient. Application was then made at the deputy-surveyor's, to know if they had received it. They denied that any such order had been sent, although they had returned an answer to the treasury two days before, remonstrating against any order for inspection by those who

litigate the rights of the Crown. Then farther application was made at the treasury, to hunt out this supposed order, which Mr. Grey Cooper, their secretary, had told them the lords had given instructions for, out of their great candour and civility; and in this manner the Duke's agents were tossed about from pillar to post, from the 2d of December till Christmas. Meanwhile the grants were executed to sir James Lowther, all but the exchequer seal, even before the duke of Portland or his agents were ever apprised that the inspection of the surveyor-general's office was denied.

On the 12th of December, in pursuance of their lordships' commands, the directions of the board were sent to the surveyor, desiring him to permit the inspection of his office. On the 15th the surveyor reports, that the records in his office are not public, but kept for the King's use only; then, he remonstrates against any permission to inspect by the agents of any persons who avowedly intend to contest the rights of the Crown. In the conclusion, he, the surveyor, recommends the shortest way to try the rights of the Crown, by granting the desired leases to sir James Lowther.

On the 22d of December, Mr. Grey Cooper wrote to the duke of Portland, that the board, upon receiving the surveyor's second memorial,

refusing the inspection of his office to his Grace's agent, and recommending the Treasury to proceed the shortest way to work, had given the leases to sir James Lowther without more ado.

The duke of Portland sends his agent to lord North, then chancellor of the exchequer, (since the death of Charles Townsend, whom he succeeded on the 4th of September,) begging him to withhold the seal, in consequence of the caveat entered at his office. The chancellor of the exchequer said he was pressed to affix the seal instantaneously ; that, as chancellor of the exchequer, he considered himself a ministerial officer, and subject as much to an order from the board of treasury as any common clerk, in respect to his seal to grants ; and, therefore, he could not withhold it. Another caveat was entered afterwards at the office of the privy seal ; the earl of Chatham's health not allowing him to attend to business, the privy seal was put into commission for no other purpose but to hear counsel upon that caveat, notwithstanding the lord high chancellor, whose abilities and integrity to inquire into that matter no one can doubt, remains, in order after the privy seal to give the defendants a second hearing.

I have been thus minute in detailing the circumstances of the duke of Portland's case up to the present time, that you may compare the

facts with those either detailed or alluded to in the following Letters of Junius. The date of his next letter is the 16th of February, 1768, before which time the Duke had received another from Mr. Grey Cooper, which I cannot do better than give you.

His Grace had written, it seems, to the duke of Grafton; reminding him of the reply he had received in answer to his first memorial, from the treasury board, on the 10th of October, 1767, which concludes with that remarkable passage, *“And I am directed to assure your Grace, that no step shall be taken towards the decision of the matter in question, till your Grace’s title has been stated, referred to, and reported on by the proper officer, and fully and materially considered by the board of treasury.”*

Mr. Grey Cooper’s letter is dated January 8, 1768. You will not fail to notice the expressions of regard from the duke of Grafton and the board, and his reluctance and unwillingness to make any order which might carry even the appearance of affecting his Grace’s claim to the lands in question; and that he withheld his assent so long as he thought he could do it, and so on, &c.

MY LORD,

8th January, 1768.

“As I have but too much reason to apprehend that your Grace’s last letter to the duke of Grafton, relative to the

forest of Inglewood, which has given him much real concern, was in a great measure occasioned by *my* not having explained to your Grace so fully as I ought, the grounds and motives on which the board appeared to me to have proceeded during the course of this whole transaction ; I must humbly beg your Grace's permission to lay before you, more at large than I did in the last letter which I had the honour of writing to you, what I conceive to be the real state of the circumstances of the case. The surveyor-general, in his first report, dated in August last, declares his opinion, that the forest of Inglewood is not in grant, but actually vested in the Crown ; and recommends and advises, that a lease of the said forest may be granted, to sir James Lowther, for such a term, at such a rent, and on such conditions as are therein mentioned. In ordinary cases, according to the ancient practice and precedents of the treasury, reports of this nature are *immediately approved of upon being read, and leases are ordered in conformity to such opinions.* In this instance, the consideration of the report was postponed, with many expressions and marks on the part of the Duke and the whole Board, of the greatest personal regard for your Grace.

On the 9th of October last, being the day on which the Lords met after the adjournment, your Grace's first memorial was delivered to me. I laid it before the Board without a moment's delay, and in preference to all other papers ; and upon my acquainting the Lords, that I understood, from my conversation with your Grace's agent, that a state of your Grace's claim and right to the forest might be drawn up and prepared in a short time, their Lordships commanded me to write to your Grace, the letter dated the 10th of October, *a copy of which you was pleased to send enclosed to the duke of Grafton.* From the time of this order, all proceedings of the Board were suspended, and the whole matter slept, till it revived by your Grace's memorial : in which you pray my Lord's directions to the surveyor-general, to permit your agents to inspect the surveys and records in his office, and to take copies thereof, or such parts thereof, as you should be advised.

I assured your Grace's agent upon this occasion, that I would use my best endeavours that this indulgence might be granted to your Grace's request. Upon reading this memorial, the Board were of opinion, that the records and papers in the custody of the surveyor-general were not public records, but merely the evidences and deeds of the estates of the Crown; and that no person had a right, *ex debito justitiae*, to inspect or take copies of such records without a special case made for that purpose. But it being suggested, that the surveyor-general had no objection to the inspection desired by your Grace, the Board ordered that your Grace's agents might be permitted to make such inspection, and to take copies of papers and records, *in case the surveyor-general had no objection thereto.* Upon this order, the surveyor made his second report, a copy of which accompanied the last letter which I had the honour of writing to your Grace on this subject.

His objections to the inspection were so strongly marked and expressed, that the Lords were of opinion that they could not direct it to be allowed, without the hazard of great inconvenience and prejudice to his MAJESTY'S INTEREST on future similar occasions and applications; and it not appearing to them from anything alleged on the part of your Grace's agent, that the state of your claim to the inheritance of the forest in question (which the Board had by its former order of the 9th of October undertaken to refer to the surveyor-general) could be prepared without such inspection, the Lords found themselves under the necessity of yielding to the usage of precedents of office, in ordering a grant to be made to sir James Lowther, in pursuance of the clear opinion and REPEATED recommendations of the surveyor-general. Upon the whole matter, I think it a debt due to truth and justice, to assure your Grace, that the duke of Grafton shewed the greatest reluctance and unwillingness to make any order which might carry even the appearance of affecting your Grace's claim to the lands in question; and that he withheld his assent so long as he thought he could do it, without esta-

blishing a precedent which might create inconvenience in the future management of the land-revenue, and prejudice the interests of the Crown committed to his care.

I have the honour to be, &c.

GREY COOPER.

From the appearance of these facts, which I have collected or copied *verbatim* from a publication of Almon's in 1768, entitled the Duke of Portland's Case, you must see with what duplicity and injustice his Grace was treated; and you may infer that the earl of Bute (whose influence seems to have swayed with the surveyor *for his recommendation to grant the leases* to sir James Lowther, and for his refusing the duke of Portland a sight of the parchments in his office) prevailed with the unwilling members of the board of treasury to hurry the business through as they did. Here is another reason for Junius's horror of Scotch influence. You will see more of this on the subject of the privy seal being put in commission. I have only to beg you will bear in mind the facts, and even the words of the case, as I have quoted them; perhaps it may prove hereafter, that this very case was penned by Junius or by the duke of Portland.

LETTER VIII.

20 January, 1816.

I now come to the consideration of Junius's next letter, as connected with the fate of the Duke's memorials, and the decision of the treasury, of which he was officially informed on the 22d of December; and on the 8th of January following, he received the letter I sent you in my last, from Mr. Cooper, containing the polite expressions of his grace of Grafton, as consolation for the loss of his property.

Junius's letter has no signature, and was written on the 16th of February, 1768. It commences with attacking lord Camden for endeavouring or recommending to establish a suspending power in the Crown. It next inquires into the legality of appointing a third secretary of state; and then considers the circumstance alluded to in my last, of putting the privy seal in commission for six weeks, on account of lord Chatham's illness. The commission was intrusted to Richard Sutton, William Blair, and William Frazer, esquires. Junius, or the author of the letter, says, "two of them are of Scotch extraction, and the third recorder of St. Alban's; and from their insignificance and obscurity, we may easily collect, that there is some particular design

in fixing upon such persons to execute one of the first offices of the state.” This particular design was, that the Lord High Chancellor might not hear counsel on the duke of Portland’s *caveat*, as stated in his case, and related in my last. Junius now adverts to the illegality of the chancellor of the exchequer’s refusing to withhold his seal, on account of the duke of Portland’s *caveat* entered at his office. “ The establishment of the several high offices of state forms a natural and constitutional check upon the prerogative of the Crown. No illegal or unconstitutional grant, charter, or patent of any kind, can take effect from the mere motion of the Sovereign, but must pass through a number of offices, in each of which it is the duty of the officer, if the case requires it, to remonstrate to the Crown, as he himself is answerable for the consequences of any public instrument which he has suffered to pass through his department. The delay of this progression has another good effect, in giving the subject time and opportunity to enter his protest against any sudden or inconsiderate grant, *by which his own property, or the welfare of the country in general, may be affected*, and to have the matter fairly discussed.

“ The precedence annexed to these high offices, exclusive of the importance of the several degrees of trust reposed in them, sufficiently

prove that they ought to be confided to men of the first character and consequence; men of that degree may safely be trusted, because they have a greater stake to hazard, and are answerable to the public with their lives and fortunes. The dignity of the Lord Privy Seal's office (next in rank to the President of the Council,) would of itself be sufficient reason for giving it to none but men of birth and character; and the great trust annexed to that dignity is a further reason for never committing such an office to any but men of the first rank and fortune. But in the choice of the present commissioners there seems to be something particularly and singularly improper. When a *caveat* is entered against a grant of the Crown; and when a question of political and commercial importance is therefore to be discussed, can there be a higher *insult to the public* than to commit the determination of such a question to three persons, very low in point of rank, and absolutely dependant in point of situation? Shall we not be justified in supposing that they are elected for no other quality but their insignificance?

“ Whatever pretences may be alleged to the contrary, *the public* will have too much reason to suspect that these worthy commissioners are taught their lesson, and that the *job is too dirty* to be imposed upon gentlemen of a higher sta-

tion than a clerk in office. I cannot believe that these persons could have been chosen by the earl of Chatham. Whatever may be his faults, a man of spirit could no more lend his office, than he could his mistress, to the purpose of prostitution, much less would he descend to take either of them back again with a public mark of infamy upon them!

“ Now let us suppose these three respectable persons seated upon their tribunal, with two judges of England by their side, and the first lawyers of this country pleading before them upon a *question of the first importance to this country*; the judges, I doubt not, will sit in silent wonder at the judicial abilities of these great men, and silent they must be, unless a point of law should arise on which the triumvirate shall deign to ask their opinion. The lawyers will naturally exert their utmost efforts when they consider that they have the honour to plead before three gentlemen of such profound knowledge, such distinguished rank, and such inflexible probity that *neither ignorance, nor ministerial influence, nor private corruption can have any share in their decision.*”

“ I pity the unhappy Englishman, for he perhaps may blush for his situation.”

Thus you see, with a trifling exception, the whole of this letter is dedicated to the affair of

the duke of Portland, and you will find by and by, that the same language and doctrine are held and argued in the case which I will produce and compare *hereafter with the letter.*

LETTER IX.

22 Jan. 1816.

THE thirteenth Letter of Junius, under the signature of Mnemon, is dated February 24th, 1768, and is written expressly also on the same subject. The character of the English for patience to a certain extent is exhibited, and their irresistible force and unrelenting severity in attacking and punishing the authors of their grievances when roused at last beyond sufferance. The dispensing power, argued by lord Camden, is again brought in as the stalking-horse to the real grievance which Mnemon has deep and deepest at heart. Thus he commences it:—“ Having had sufficient proof, as they thought (the administration), of the passive disposition of their fellow-citizens, and at a loss for precedents of despotism of a modern date in any civilized country, they began to ransack the stores of antiquated oppression, and ventured to perpetrate *an act, by a singular composition, of such consummate audacity and mean-*

ness of spirit as it might well be thought impossible to unite.

“ In subserviency to the odious influence under which they act, (the influence of lord Bute,) this administration *dared, to an informer nearly allied to that very influence, at the time, and for the purposes of an election, refusing to hear counsel, not daring to take the opinion of the King’s law servants, denying access to the records in their possession; to pass a grant of the estate of a noble and most respectable person, derived from a King to whom we owe all our liberties, sixty-three years in undisputed possession, the subject of frequent settlements, and now actually a part of the jointure of the noble Duchess.*” Mnemon, you perceive, was accurately informed of all the circumstances; and relates them almost *verbatim* as from the published case, *though it was not then published*, as I shall prove hereafter. The date of this letter of Mnemon is the 24th of February; the informer and new grantee was sir James Lowther, who had married, as you may remember, the daughter of lord Bute. But to return to Mnemon:—

“ *The people of England at length began to break silence. They might, indeed, look upon the private wrong as a matter of inward meditation, and a further exercise of their patience; but*

the principle of this grant has given a shock to the *whole* landed property* of England. Called upon by this practical menace to *all landed property*,— and by many other detached grievances arising from the same absurd and tyrannical principle, that no length of possession secures against a claim of the Crown; one of the ablest, most virtuous, and most temperate men in the kingdom, supported by a steady band of *uniform patriots*, has made an attempt, in a certain great assembly, without providing any remedy for *this case* of oppression, to secure the subject at least for the future, against such wild and indefinite claims."

This was sir George Savile, who made a motion on the 17th of February, 1768, seconded by sir Anthony Abdy, for leave to bring in a bill 'for quieting the possessions of the subject, and for amending and rendering more effectual an Act of 21st of James I. for the general quiet of the subject against all pretences of concealment whatever.' The Act of James I. secured to the subject any lands possessed by him for sixty years before the passing of the said Act, but did not equally benefit the succeeding generations, because it would be necessary to prove possession, in all cases, to the same æra; viz.

* Junius would ever make the case of this individual the case of the public, on every point.

sixty years before the passing of that very Act. The proposal to amend the bill was simply that an undisturbed possession of sixty years, from *the time being*, from to-day, for instance, should be a security against any suit of the Crown.

This letter is signed Mnemon; and, though it is the first time the writer uses it, he concludes by saying, " My next will be on this important subject."

This important subject is consequently treated in his next letter, the fourteenth, eight days after the publication of the former; viz. on the 4th of March. I have only to call your attention to the force of the writer's expressions, and the acrimony with which he argues against the doctrine of the *nullum tempus*. " The maxim," he says, " that no length of continuance or good faith of possession is available against a claim of the Crown, has long been the *opprobrium of prerogative* and *the disgrace of our law*. The ablest writers in that profession have ever mentioned it *with abhorrence*. The best judges have always *cast an odium on it*, as being *fundamentally contrary to natural equity and all the maxims of a free government*. The truth is, this prerogative has hitherto owed its existence to its disuse: it was at once an engine so formidable to the people, and so dangerous to those who should attempt to handle it, that it

never was considered *amongst the instruments of a wise minister.*" He then compares it to an old piece of cannon mounted on a ruined bastion, which none dared fire lest it should bring down the fortress it was intended to defend.

I will not detail the whole of the letter, which is entirely confined to this question; you will think it sufficient, I hope, that the most prominent points should be selected. You will see how Mnemon exposes the ministry for hoarding up the power of the Crown as a grand military magazine to break the fortunes and depress the spirits of the nobility, to draw the common people from their reliance on the natural interest of the country to an immediate dependence on the Crown, and to convert the *votes of freeholders, the means which our ancestors had provided as the great security to our freedom, into the certain instruments of public servitude.*

Mnemon here affirms, that "when they refused to give up this *barbarous maxim*, it was evident they intended to make some sort of use of it. Such a conclusion could not be evaded. In this strait, they took the part of avowing that they did intend to find some employment for *their favourite prerogative.*" This may account for Junius's Letters having at first been in advance of their decision.

They are now brought to account for adopt-

ing the surveyor-general's opinion as the ground of their proceedings, as if they themselves were not free agents, but mere creatures of execution. This office also of the surveyor-general's is put in a clear light, as being *most oppressive and inquisitorial, arbitrary and despotic.* But I have made you acquainted already with the particulars of the case thus far, in respect to the unwarrantable recommendation of the surveyor to take the shortest way, and grant the leases at once to sir James Lowther, after refusing the duke of Portland's agents a sight of the papers on which the surveyor founded his report, and I shall now conclude this letter with an extract from Mnemon, which is pointed with a deadly venom, and used as a double-edged sword, if not to cut both ways, at any rate to inflict two wounds at one blow.

He is speaking of the arbitrary principles which vegetate and take such fast root in the luxuriant soil of this country. He first alludes to the case of Wilkes.—“ When they seem (these principles) to be cut up by the roots, they will suddenly shoot up in some other place, and under some other and more dangerous appearance: suppress them under the shape of general warrants or seizure of papers, they will start up in the form of dispensing powers, (the old stalking-horse) *forfeiture of charters, violation of pub-*

lic faith, establishments of private monopolies, and last, not least, raising up antiquated titles for the Crown. There is a consideration still more melancholy, that many persons apostatizing from their principles, betraying their associates, and combining with their adversaries, make no other use of the credit they have derived from their former activity in the cause of freedom than that they may approach it without suspicion and wound it beyond all possibility of cure."

Woodfall says that the duke of Grafton is here meant; and I will only add, that he had formerly patronized Wilkes, and that once he and the duke of Portland were friends.

LETTER X.

24 Jan. 1816.

IN referring to the last Letter which I had the honour to write to you, I have thought it not irrelevant to our cause to mention one or two passages in confirmation of what I had advanced respecting Wilkes and the duke of Grafton. Perhaps the introduction of them ought properly to have been delayed until we should have dismissed the immediate subject of our research, as they are in some degree foreign to

that, but it will induce only a trivial detention which, I trust, you will not regret. I shall give you an extract from the forty-eighth letter of the miscellaneous collection, signed Atticus, 19th of October, 1768.

“ His grace (the duke of Grafton) had honourably fleshed his maiden sword in the field of opposition, and had gone through all the discipline of the minority with credit. He dined at Wildman’s, railed at favourites, looked up to lord Chatham with astonishment, and was the declared advocate of Mr. Wilkes. It afterwards pleased his Grace to enter into administration with lord Rockingham ; and, in a very little time, it pleased his Grace to abandon him. He then accepted of the Treasury upon terms which lord Temple had disdained. For a short time his submission to lord Chatham was unlimited. He could not answer a private letter without lord Chatham’s permission.” This is an allusion to the letter of Wilkes, addressed to the Duke, imploring the royal clemency, of which I have already spoken.

Atticus continues : “ His standing foremost in the persecution of Mr. Wilkes, if former declarations and connections be considered, is base and contemptible. The man whom he now brands with treason and blasphemy, but a few years before was the *duke of Grafton’s friend* ;

nor is his identity altered except by his misfortunes."

In the fifty-second letter of the same collection, after reprobating the persecution of Mr. Wilkes, the writer observes: "Other men have been abandoned by their friends, Mr. Wilkes alone is oppressed by them. One would think that the First Lord of the Treasury and the Chancellor (the duke of Grafton and lord Camden) might have been contented with forgetting the man to whom they principally owed their elevation; but hearts like theirs are not so easily satisfied: they left him unsupported when they ceased to want his assistance; and, to cover the reproach of passive ingratitude, they pursue him to destruction. In the present instance the duke of Grafton may possibly find that he has played a foolish game. He rose by Mr. Wilkes's popularity; and it is not improbable that he may fall by it." This letter is signed Junius, and dated the 21st of November, 1768. Of the former friendship of his grace of Grafton for the duke of Portland, I shall have occasion to speak hereafter.

I now return to the progress of Junius's miscellaneous letters as connected with that of the duke of Portland's cause, and the *nullum tempus* bill.

On the 11th of March, 1768, a week after the appearance of Mnemon's second letter, this same

Mnemon addressed a short letter to himself, signed Anti-van Teague, for the sole purpose of obtaining a new *point d'appui* on which to rest a fresh charge of criminality and injustice against the ministers. It is a target set up by himself to receive his own arrows; for he there calls the ancestor of the duke of Portland, one of king William's Dutch favourites; and demands, if any one can review the parliamentary debates of the æra, and not be fired at the glorious spirit exerted by the commons of England against the enormous grant of Crown Lands made to the Dutch favourites of that monarch. We shall soon see how he answers this demand, and the following also. “Was not the most scandalous partiality shown to them, in prejudice to the people of this country? Were not honours and riches heaped on them with unexampled profusion?”

Read his next letter (the sixteenth), of the 24th of March: “When that most honourable Board shall next think fit to bestow another estate on a Lowther, or on any other informer, wonderful no doubt will be the contented acquiescence of the person robbed, when he is apprised, that what is taken from him, to gratify the Scotch favourite of to-day, was given some hundred years ago, by the Crown, to a Dutch favourite of that time. Surely, Sir, the noble Duke, who is the present sufferer, must feel great satisfaction in finding

the sins of his ancestors visited upon him. A Stuart (lord Bute) has at length risen up to avenge upon the memory of king William, and the *descendants of all those embarked with him* in the once glorious cause, the injuries and suffering of that once, but now no longer, hateful name.

“ We have lived to see an advocate for the ministry of George III. defending their actions and justifying their conduct, by asserting, not that their actions are just, and their conduct clear, but that their injustice falls heavy on the *posterity alone of those, who, by their arms and their counsel, assisted our great deliverer to effect that revolution, to which, and to which alone, we owe the establishment of his present Majesty's most illustrious and royal family on the throne of these kingdoms.*”

Speaking of the minister, he again commences with the usual stalking-horse. “ Is the revival of the suspending and dispensing powers of the Crown an experiment of curiosity alone? Is his open and wicked *interference in elections, by threats and by bribery, manifest to the whole nation*, to be accounted no more than a good-natured solicitude for his friends? Are his violent attacks upon the monied and LANDED property of the people, no more than dutiful exertions of his power, to pay, on the one hand, the debts of

the civil list ; and, on the other hand, to raise, support, and extend, *that hidden, pernicious, and unconstitutional influence* in which, and by which, he lives and moves and has his being ? Is his lavish and wasteful profusion of the public property, in pensions, reversions, *grants*, and monopolies, a decent and becoming reward to those who have been, or are willing to be, his tools and creatures ? This letter is signed Anti Stuart.

The following letter, No. 17, is a general attack on Mr. Wilkes's character and conduct, to whom Junius had conceived a personal dislike, according to the editor of Woodfall's edition, on account of the resistance he made to the general warrant, which was served upon him during the administration of Mr. George Grenville. I think very differently in the present instance. Wilkes, though perhaps used as an instrument of attack upon an administration which Junius abominated, had outraged the feelings of all the moral part of the nation, and insulted the Crown, the Lords, and Commons, in a manner, which, if *permitted*, would have soon levelled all ranks of society to one. Junius was an aristocrat, and did not choose that *Mr. Wilkes* should undermine the bulwarks of power and patronage; but we shall prove this hereafter.

In the eighteenth letter, of the 5th of April, he again attacks the ministry for allowing Wilkes

to carry all before him ; and tells them, he suspects that he would never have been permitted to go such lengths, if all were well between the ministry and lord Bute. " They certainly (he adds) have a design to terrify the Scotchman, and to keep him in order by producing their tribune once more upon the stage. Let the thane look to himself. Mr. Wilkes, being a man of no sort of consequence in his own person, can never be supported, but by keeping up a cry, and this cry can no way be maintained but by renewing his attacks upon the Scotch favourite and his countrymen."

The nineteenth letter of Junius is prefaced with this extract from Coke's Institutes : " The common law hath so admeasured the King's prerogatives, that they should not take away, nor prejudice the inheritance of any." On this occasion, Junius, under the signature C. returns to his old ground and contest, and fights his battle once again. He advances no new fact, and few arguments, but asserts only " that it is highly unconstitutional, as well as absurd, to introduce the Sovereign as claiming an indulgence to himself for neglects of his servants." " If the Sovereign," he says, " on account of his high situation, be entitled to such a privilege, his ministers certainly have a claim for their share of it. The lords, who are hereditary

counsellors of the Crown, the judges, every member of the House of Commons, and ambassadors sent abroad, may all plead public employment; nor can there be any good reason alleged, why every officer engaged in the public service, from the High Chancellor down to the bumbailiff, should not be allowed his proportion of *nullum tempus*." "The reasons for the maxim of *nullum tempus*," he continues, "originated under the feudal government, to preserve the royal demesne entire, because the support of the royal dignity depended on it. The King, out of his revenue, defrayed the expenses of his family and government, and never applied for aids to the people, but upon pretence of extraordinary emergencies." Here follow some more reasons for preserving the royal demesne entire, and thus he concludes:

"To revive and enforce a maxim of this sort, when not one of the reasons subsist on which it was originally founded; when the King's family and government are supported by a fixed revenue of £800,000, raised upon the people, is certainly *a most unwarrantable and a most dangerous attempt*. Under the present Board of Treasury, the reign of Empson and Dudley seems to flourish again; and where is the man who can say his liberty or his property is secure to him, if antiquated doctrines and obsolete laws.

may be brought to life, at the *breath of a young, inconsiderate, arbitrary minister, and sent abroad to attack every subject whom he shall think proper to call an enemy to government.* A minister capable of recommending such measures to the Crown, calls to my mind the idea which our ancestors had, of some black magician conjuring up infernal spirits from the depths of the earth and of the sea, and letting them loose, to the destruction of mankind."

Letter the twentieth, dated 23d of April, is a letter of compliment to his Grace of Grafton, on his appearance at the Opera with Miss Parsons, which appearance Junius, in all probability, had witnessed himself. There is no signature, and but one passage that refers to the standing grievance. "*Whether the property of the subject, or the general rights of the nation, were to be invaded; or whether you were tired of one lady, and chose another, for the honourable companion of your pleasures; whether it was a horse-race, or a hazard-table; a noble disregard of forms seemed to operate through all your conduct.*"

LETTER XI.

25 Jan. 1816.

THE next production of Junius, the twenty-first, resumes his wonted subject. His perseverance is really indefatigable: he has already repeatedly rushed on the ministry; charged, attacked, front, flank, and rear; armed, unarmed, with an axe, a small sword, a bludgeon, and even with fists; *rostris et unguibus*, tooth and nail, disguising the smallness of his forces by multiplying the variety of their appearances; marching and countermarching them rapidly in different and opposite directions; he has encountered the enemy under six different banners, and now waves a seventh that bears for its device the double face of Janus.

He now characterizes the ministry by the word *duplicity*, "not that little sneaking quality, called *double dealing*, which every petty-fogging rascal may attain to, but *that real duplicity of character* which our ministers have assumed to themselves, by which every member of their body acts *in two distinct capacities*, and, Janus-like, bears two faces and two tongues, either of which may give the lie to the other without danger to his reputation."

After this exordium, follows an exhibition, review, or sham fight, with some of his troops. *Imprimis*; Mr. Wilkes is called out, makes a parade, and retires; the stalking-horse, as usual, cuts a few capers, curvets, and trots off; two minor corps are marched from the rear, and dispatched; and while he amuses the supposed enemy with rather a ludicrous exhibition of his lame cavalry, he opens a tremendous fire from his masked battery, loaded with the whole history and all the arguments detailed in the case of the duke of Portland. That remarkable sentence which I formerly pointed out to you, is fired in the teeth of his opponents. “*The duke of Grafton, before any proceedings were had in the affair, did actually promise to the duke of Portland, that no step should be taken towards the decision of the matter, till his Grace's title should be stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the Board of Treasury.*”

Had the duke of Portland (says Junius the Bifrons) been fully apprised of the new doctrine of the two-fold state of ministers, he would have considered this promise, as it was really meant, as illusory, and only an expedient to lull him asleep while the business was going on. *How has Bifrons thus discovered what his Grace would have thought on the occasion?* But he

proceeds to state that “ the duke of Grafton admits the promise which he says was *inadvertently given by him*, and consequently *not to be kept, because he was the King's minister**. The promise having been given as a *private man*, and in this he can be supported by the soundest casuistry.” Bifrons then observes, that he remembered seeing Bassambaum, Saurez, Molina, and a score of Jesuitical books, burnt at Paris for their sound casuistry, by the hands of the hangman. The letter concludes with some bitter raillery on his Grace for the employment of this sound casuistry.

Letter the twenty-second, of the 6th of May, relates only that the parliament was to be opened by commission, though this circumstance furnishes Junius with another occasion to abuse the men in power.

A week's respite intervenes, and our champion having burnished his arms and clothed himself in the consular purple, again puts himself at the head of his veteran legions. His pertinacity is invincible. He seems, indeed, to commence with repelling an attack made by some of the mercenary troops of his opponents, but he very soon returns to the offensive, flourishes his old weapons, and then with a truly Roman

* Minister and Man—an antithesis Junius never forgets.

valour, falls pell-mell into the midst of the enemy, and puts all that meet him to the sword.

We are told now that “ the charge against them is not that they have granted to sir James Lowther an estate which in law is the right of the duke of Portland, but that they partially, and in many parts of the proceeding, surreptitiously, upon the bare report of a subordinate officer, without suffering his vouchers to be examined, without hearing counsel or allowing time or means of defence to the party, or due information to themselves, have violated the equitable and presumptive right of long and undisputed possession for the *purposes of undue influence at an election, and of paying a base court to a clandestine and dangerous power.*

“ *This is the charge against them which they have not attempted to answer, which they never can answer, and which will fix a brand upon their foreheads that no sophistry will be able to efface, and no veils of ministerial artifice will be thick enough to conceal from the eyes of an indignant and INJURED PEOPLE*.*

“ The ministers affect to be surprised that the writer of the duke of Portland’s case has taken no notice of his Grace’s title, and has not set forth the Surveyor-General’s report against it.

* Ever the *people’s cause.*

They are at liberty to amuse themselves with such observations. I hope that writer will never give them any disturbance in their learned pleadings on this subject: he has, I trust, too much sense to moot in the public papers the legal construction of a clause in a Crown grant."

Here give me leave to call to your attention, that his Grace of Portland never did produce his title; Junius, or as he calls himself, Valerius, was as well informed on that point as on all the others of the case, but never calculating that all these letters written under so many different signatures, would ever be justly assigned to the one, the only pen that had written them; he affects or implies ignorance on this point as Valerius, and merely says "they are at liberty to amuse themselves with such observations."

The rest of the letter, for Valerius, for Junius, or for any other political writer, is expressed in a strain of vehemence rather difficult to be accounted for. I will make some extracts, and conclude this letter of my own.

" It is a matter of perfect indifference to *the public*, whether the grant, for instance, of the manor of Dale, is sufficient to convey Swale also, as its appendant, or whether Swale ought specifically to be named: but it *does concern the public*, and in the highest degree, whether long, quiet, undisputed possession, which is the best

of titles against the subject (I fear Junius knew of no other), shall, or shall not, be a title at all against the Crown?—Whether the Treasury, availing itself of a *remnant of odious and inactive barbarism*, shall, upon points of legal subtility, endeavour to shake that title?—Whether they shall decline taking the opinion of the King's law servants on such important points of law?—Whether they shall refuse to hear the party by his counsel? and, Whether, *without any of these forms, sense of justice, and of all decency and candour, they shall arm a wealthy informer with a Crown claim to harass and oppress the subject.*

“ These are the points in the duke of Portland's case in which the *public** is concerned. If no prescription is pleadable against the Crown, and if the treasury, without a *hearing, is suffered at pleasure, to halloo an informer at YOUR ESTATE on the bare report of a surveyor's deputy—their own creature!*—*Woe to the property of England!* Remember, that almost all that property has, at one time or other, flowed from royal grants. No possession, no purchaser, no mortgagee is safe, no farther safe than he is covered by the Act of James the First, which is now sought to be converted from a temporary regulation into a perpetual rule of law.

“ That truly wise and patriotic bill which the

* *Public again.*

ministerial gentlemen are pleased to term factious, was what our ancestors called for, and so far as it regarded themselves obtained.

“ *The arguments of the ministry are not against the duke of Portland, but against the doctrine of prescription itself, against natural justice, and against the principles of that wise and constitutional, though (by the misfortune of its time) imperfect law, the statute of the 21st of King James the First. What do we care, whether this dormant and antiquated claim of the Crown be well or ill-founded in strict law?* I take it for granted that it has no foundation.

“ *The whole conduct of the treasury gives me a right to conclude against them.* If they were sure of the validity of their claim, why did they not a little discuss the grounds of the surveyor’s report, and order him to produce his vouchers? How could it hurt this or any other fair claim (supposing this a fair one) to have the records in his office inspected? Would a fair claim be hurt by having it openly and solemnly debated by council?—Any set of men who have regard even to *decorum in their injustice*, could never have acted with this *barefaced partiality to ONE PERSON, and with such a scandalous spirit of oppression TOWARDS ANOTHER.* At present they only excite contempt for their weak defence of those actions, whose *atrociousness* had before merited the *abhorrence of all good men.*”

This is strong language, and violent even for a patriot, however devoted to *the public*.

LETTER XII.

MY LORD,

25 January, 1816.

I RETURN to the prosecution of my task, bespeaking your patience until we shall have seen and considered all the arguments of Junius in favour of the duke of Portland's case. Whether he is Bifrons, Mnemon or Valerius, it is ever the same. The unshaken patriot breathes but one flame, clear, bright, ardent, and inextinguishable.

We have arrived now at his 24th epistle *, dated the 18th of May, and written to expose the secretary at war, lord Barrington, for thanking (in his Majesty's name) the troops that had shot fourteen persons, and wounded more in St. George's Fields, where a multitude had assembled in expectation of seeing Wilkes released from the King's Bench, to take his seat in the house of commons, on the 10th of May. The 25th † is addressed "to master Harry in Black Boy Alley," and dated the 1st of July; so that he had rested from his labours during the whole month.

* May 18th, 1768.

† July 1st, 1768.

of June and the latter part of May! The old grievance is however still uppermost.—He signs the letter Pomona, and begins by saying, that “from the moment he heard master Harry had given lord Rockingham a *positive promise* in his, or rather *her* favour, (let the lady speak) *she did him the justice to be satisfied that all her hopes and pretensions were at an end*. A second promise she understands he has given to another, revives her hopes, for *the last resolution is certainly the one he will not abide by*. With all due submission to miss Nancy’s personal knowledge of the world, she believes master Harry has yet to learn the secret of keeping his word without hurting his principles.

“I presume (says Pomona,) you will have no difficulty in breaking your word with Mr. C—; the whole distress lies in keeping it with your friend the Marquis. My advice is therefore that you should order Mr. Bradshaw to write to his Lordship, and assure him in the *civilest terms, that circumstances which you had not foreseen, that it was with infinite concern; that his Lordship’s recommendation had such weight with you, that in any other instance—that you flattered yourself his Lordship would be candid enough to distinguish between the MINISTER AND THE MAN*—but that in short you were so unfortunately situated, &c. &c. Mr. Bradshaw’s manner

will make the message palatable, and it would not be amiss if he were to carry it himself."

Mr. Bradshaw was the duke of Grafton's secretary, and had received his Grace's directions to write to the surveyor-general, desiring him to permit the inspection of the records in his office for the duke of Portland's case. The words "his Lordship's recommendation had such weight," are a parody on the surveyor's recommendation having had such weight, and in short the whole passage is but a repetition of the sarcasms already expressed in several of the letters examined by us, in this important case.

The twenty-sixth letter* holds up to ridicule the London Gazette and its author, the official paper and writer of the day. It takes the occasion of a commission of trade being advertised, at which Wills earl of Hillsborough is directed to attend. This letter produces an answer from *Insomnis*, and a rejoinder from *Junius*, wherein he finds an opportunity of saying, that an "*ostensible engagement with a mental reservation is the first principle of the morale relachée, professed and inculcated by the society of Jesus.*"

The twenty-ninth letter† on American business, displays the distresses of the country, tells the ministry, they must know that the language

* July 19th, 1768.

† July 30th, 1768.

of reproach and contempt is now the universal language of the nation, and recommends a firm and united administration, with Mr. Grenville at its head.

LETTER XIII.

26 Jan. 1816.

THE interest of the duke of Portland is now suffered to rest for some time, while Junius occupies himself with pleading the case of sir J. Amherst before the public, a cause in its principles of a similar nature with that which he had already so warmly espoused ; and, therefore, likely on that account, if not thought necessary for appearance sake, to attract all the notice of this writer. The facts are, that sir Jeffery had been rewarded by lord Chatham with the governorship of Virginia, for his services in America, with a promise also, that he should enjoy it in peace and quiet, and never be required to go there.

After some years, lord Bute determined otherwise, and issued his *fiat* to dispossess him. The ministry wanted his place for lord Boutetort, and he was turned out. The means and the manner are detailed in the letters : I need not recapitulate more ; but you will find the same

expressions, as well as ideas, on the surface and at the foundation of his arguments, as those brought forward in the business which has hitherto employed his pen, besides he had some additional reasons for taking up this affair, which I will briefly mention, as soon as I shall have quoted three or four passages that suit the first case equally with the last. Thus he enters on his subject:—

“ An unmerited outrage offered to a great or good man* naturally excites some emotions of resentment, even in hearts that have the least esteem for virtue.” “ But if a case should happen, wherein a character *not merely of private virtue, but of public merit*, receives an insult equally indecent and ungrateful, this common concern is increased by that share of interest which every man claims to himself in *the public welfare*.” Junius had once or twice called the duke of Portland a *virtuous or respectable person*.

In Letter thirty-two † he says, on the same subject, “ What a poor contemptible artifice! thus it usually happens with bunglers; they cannot even be mischievous with dexterity, nor do a public injury without insulting the public understanding.” “ These are times ‡ when every

* M. L. 30, Aug. 5, 1768.

† Aug. 10, 1768.

‡ M. L. 33, Aug. 19.

ignorant boy thinks himself fit to be minister: instead of attendance to objects of national importance, our worthy governors are contented to divide their time between private pleasures and *ministerial intrigues*. Their activity is just equal to the persecution of a prisoner in the King's Bench, and the *honourable struggle of providing for their dependants.*"

" Amidst the general indignation * which has been excited by the marked affront lately put upon sir J. Amherst, it is *odd* to find people puzzling themselves about the *motives which have actuated administration in this extraordinary procedure*; nothing is more short and easy than the solution of this affected difficulty: *they were ordered to act in this manner*. The public knows, and can know no other reason. *The ministry know, and desire to know no other reason*. They have received *the order*, that is enough for *them*. Their whole political system is wrapped up in one short maxim—

" *My author and disposer, what thou bidst
Unargued I obey.*"

" *In this lesson they are perfect to a miracle; and the signal proof they have just given of their daring and determined servility, shews them altogether worthy of that confidence which the favourite*

* M. L. 34, Aug. 23.

so wisely reposed in them, (during his pleasure,) the depositaries of his intentions, and the TRUSTEES of his power. But though it be vain to seek for any higher principle than blind obedience in the formal and executive members of the ministry, it is worth while to examine," &c. &c. " Falsehood is a servile vice, and to the imputation of that vice people in a slavish condition, whether low or high, (for servitude as well as hell has its ranks and dignities,) will always be subject, especially if ministers are known to have found the dexterous art of splitting themselves, and possessing one character in which to promise, and another in which to act." Speaking of Whigs, he says, " When the question is concerning the mere graces of the Crown, the rule is to become even more severe; and every lover of the Constitution must think it a crime hardly less than treason in those who shall advise a Court to discountenance the families which have promoted the Revolution, and at the same time to load with its favours those who (reconciled by profit, not by opinion) have ever been the declared enemies both of the Revolution, and of every benefit we derive from that happy event."

Of this last quotation hereafter. Let us proceed to Letter thirty-eight*. " *When a worthless administration do a notorious act of injustice to a*

* Sept. 6, 1768.

good man, which naturally raises the indignation of the PUBLIC, they are not satisfied with the first blow; but THEIR EMISSARIES go to work, to blacken the character which was fair before, in order to justify the measures of their masters." On this point, though here adduced on account of sir J. Amherst, you may remember that Shebbeare, and others of these emissaries of the ministers, had accused the Portlands of *robbing the Crown*; and some of them had given out that the Duke was endeavouring to *rob sir J. Lowther of a fishery*.

In the forty-third * Letter, addressed to lord Hillsborough, and still urging the case of sir Jeffery Amherst, Junius observes, that "his Lordship is a *civil, polite person* it is true; few men understand the little morals better, or observe the great ones less. *He can bow and smile in an honest man's face, while he picks his pocket.* These are the *virtues of a Court, in which his education has not been neglected.*" The dukes of Portland and Grafton had met at Court on the 25th of November, and conferred on the subject of the lease to sir James Lowther. You know the consequence.

The affair of sir Jeffery Amherst is here dropt for the present; therefore, I will explain in this

place the additional reasons which I asserted to have swayed with Junius in supporting his case. I mentioned that it was of a similar nature with that which had hitherto occupied the pen of Junius ; it was another case of unmerited persecution, or something bordering on it ; and, therefore, another weapon with which this writer could attack the administration, independent of a feeling he most probably entertained that the public would expect to see one at least of the many supporters (for he adopted so many signatures) of the duke of Portland's case, who would stand up to vindicate that of sir J. Amherst.

The leading business of Junius's Letters we have supposed to be the support of the first, and that support implied the most obstinate resistance and opposition to the ministry in every possible way, because that ministry were depriving his Grace of his property. It was therefore the object of Junius to hold them up to every species of ridicule, contempt, and detestation ; to miss no opportunity of blazoning and magnifying even their least error, and to make it evident that their principles and actions, their heads and hearts, were all alike odious, vicious, and atrocious.

We have seen a short time past in the course of our inquiries, that the office of a third secretary of state was invented or revived to provide

for lord Hillsborough ;—literally, to secure another ally to the tottering administration ;—and he was *commissioned* to superintend the meetings of a certain set of people for promoting trade, and for inspecting and improving his Majesty's plantations in America and elsewhere. Hence he seems to have had the ostensible office of removing Sir J. Amherst from his government.—“ When an ungracious act was to be done, the earl of Hillsborough was chosen for the instrument of it ;” and this “ dirty purpose ” (Letter thirty-two) gave Junius an opportunity of attacking him with advantage, his intention, or at least his wish being, no doubt, to overwhelm and crush him at his outset in administration ; for he taxes him with not having found some more honourable method of distinguishing his entrance into power, and declares that he was only *executing the orders of lord Bute*. In addition to this last argument, Junius considered the secretary a king's man, and as the duke of Grafton's new friend ; two most urgent and indispensable claims on him for the whole stock of his bitterest animadversion, notwithstanding you must have perceived in reading the controversy (for Junius had many opponents on this occasion, and was drawn into a necessity of writing much more than he otherwise would have taken the pains to do,) that

the usual accuracy of his information failed him. His dates are incorrect, and he is obliged to apologize to the public on account of his error.

The ministry, however they reinstated sir Jeffery, make out a sufficiently plausible tale, that the office was a sinecure which they desired to abolish, and that they were not answerable for the promise of lord Chatham, though they intended, and offered to make the ex-governor every compensation.

There is one remarkable circumstance which has struck me in reading the correspondence on this subject; viz. that Junius who, for purposes which we may be allowed to guess at, in defending the case of the duke of Portland, adopted seventeen successive signatures, has on this occasion almost confined himself to *one*—that of Lucius. I shall make no further comment on this at present.

LETTER XIV.

27 Jan. 1816.

HAVING done with sir Jeffery Amherst and lord Hillsborough, who falls under the rod of *Atticus*, in a subsequent letter (the forty-eighth), let us trace a little further the subject of

our first inquiries, and follow the remarks of Junius as relative to his leading business. The letter just mentioned is a new attack on the ministry, whom he accuses of a littleness, even in their ambition,—for *money is their object**. I find but one more passage in point, which is this: “The voice of *one* man will hardly be heard when the voice of Truth and Reason is neglected; but, as far as *mine* extends, the authors of our ruin shall be marked out to the public. *I will not tamely submit to be sacrificed, nor shall this country perish without a warning.*”

The fifty-first Letter, of the 14th November, recalls the old history to our minds in a direct allusion, and echoes the expressions to which the public had listened eighteen months before. The Grafton administration are again the subject of our author’s anathema.

“The most contemptible character in private life, and the *most ruinous to private fortunes*, is that which possesses neither judgment nor inclination to do right, nor resolution enough to be consistent in doing wrong.

“The Chancellor of the Exchequer has many deficiencies to make good besides those of land and malt; and, to say the truth, he has

* Junius was never mercenary—and the duke of Portland always ambitious of power.

a gallant way of doing it—he gallops bravely through thick and thin *as the Court directs*, and, I dare say, would defend *even an honest cause* with as much zeal and eloquence *as if he were ordered to shew his parts upon nullum tempus or a Cumberland election.*"

In the fifty-second* Letter there is an elegant description of the only resource left to those who are injured by *apostate friends*: and, though it belongs properly to the defence of Mr. Wilkes, I shall quote it here, as it seems to breathe the spirit of a stronger sentiment than that of ideal sympathy. "If a member of a well regulated society be injured, the laws and constitution will defend him. But where is the law to enforce the engagements of private faith, or to punish the breach of them? *Where shall he apply for redress with whom all ties of honour, professions of friendship, and obligations of party have been violated and betrayed?* A man so injured has no redress or consolation but what he finds in the resentment and generous sympathy of mankind." We shall speak hereafter of the friendship of the two dukes. This fifty-second Letter is dated November 21st, 1768, and signed Junius; a designation which he retained ever after in preference to any of the others,

London, Nov. 21st 1768. Junius.

We must therefore quit the miscellaneous collection for the present, in order to follow the succession of the dates, and commence with his Letter to the Printer of the Public Advertiser, of the 21st of January, 1769. This Letter, the first of those usually published in the collection of Junius's Letters, contains a melancholy picture of the state of the nation, and a review of the conduct of the administration collectively and individually. This called forth the correspondence of sir William Draper; and it is not till the 18th of March that Junius again turns his attention to the duke of Grafton, whom he then attacks for persuading the King to pardon M'Quirk. He makes this case even serviceable to that in which he first embarked as a writer.—“ If there be not,” he says, “ a fatality attending every measure you are concerned in, by what treachery, or by what excess of folly has it happened that those ungracious acts which have distinguished your administration, and which, I doubt not, were entirely your own, should carry with them a strong appearance of personal interest, and even of personal enmity, in a quarter where no such interest or enmity can be supposed to exist without the highest injustice and the highest dishonour? On the other hand, by what judicious management have you contrived it, that the only act of mercy to which you ever

advised your Sovereign, far from adding to the lustre of a character truly gracious and benevolent, should be received with universal disapprobation and disgust? *I shall consider it as a ministerial measure, because it is an odious one, AND AS YOUR MEASURE, MY LORD DUKE, BECAUSE YOU ARE THE MINISTER**. The minister who by secret corruption invades the freedom of elections, and the ruffian who by open violence destroys that freedom, are embarked in the same bottom. They have the same interests, and naturally feel for each other. To do justice to your Grace's humanity, you felt for M'Quirk as you ought to do, and if you had been contented to assist him indirectly, *without a notorious denial of justice, or openly insulting the sense of the nation*, you might have satisfied every duty of political friendship, &c. &c.

“ How does it happen, my Lord, that in *your* hands *even the mercy of the PREROGATIVE is cruelty and oppression to the subject?*”

In the ninth Letter † of Junius to his Grace of Grafton he says, “ *the extraordinary step you took to make sir James Lowther lord paramount of Cumberland, has ruined his interest in that country*”

* Does not this remark account for his attacking the duke of Grafton, in preference to lord Bute, on the Cumberland business?

1769 holdw of † April 10, 1769.

ty for ever." The remainder of the letter reviles his Grace for deserting his friend Mr. Wilkes.

The eleventh Letter * is announced in a private note to Mr. Woodfall, signed C. April 20th, and appeared four days afterwards.— It contains general observations on the conduct of the duke of Grafton, and alludes often *indirectly*, and sometimes *directly* to the Portland business. I forbear quoting many passages lest you should think I put a strained construction on them, but the following is evidently in point, where Junius is treating of the expulsion of Wilkes, and the ministry forcing Mr. Luttrell on the county of Middlesex, as their representative: “ *Boroughs were already too much at the mercy of government, counties could neither be purchased nor intimidated.* ”

“ The consequences of this attack upon the Constitution are too plain and palpable not to alarm the dullest apprehension. I trust you will find that the *people* of England are neither deficient in spirit nor understanding, *though you have treated them as if they had neither sense to feel, nor spirit to resent.* We have reason to thank God and our ancestors, that there never yet was a minister in this country who could

* April 24, 1769.

stand the issue of such a conflict, and with every prejudice in favour of your intentions, I see no such abilities in your Grace as should entitle you to succeed in an enterprise, in which the ablest and basest of your predecessors have found their destruction. *Never hope that the freeholders will make a tame surrender of their rights.*"

On the 5th of May 1769, Mr. Woodfall received a private intimation that No. 55 of the miscellaneous collection should indispensably appear: it is addressed to lord Granby, and signed, "your real friend." The purport of it was to dissuade his Lordship from opposing the Middlesex petition, against the seating Mr. Luttrell for that county. The next Letter in succession is No. 56 of the miscellaneous collection, signed Simplex, and dated June 6th. It repeats the same doctrine held in that which we have already considered, No. 9; but in the fifty-seventh Letter, as *Amicus Curiæ* defending the writings of Junius against a ministerial advocate, *Anti Malagrida*, he recapitulates some of his old charges. "Junius and many others say (I fancy I speak the sense of the nation) that the duke of Grafton imposes upon his Sovereign, betrays his connections, persecutes the man who was his friend, idly irritates the Colonies, wickedly alienates their affections from their mother country,

invades the liberties of the PEOPLE, abuses the prerogative of the Crown, and has actually subverted the Constitution; and when Junius civilly asks the reason of all this, sir, says he, you are a rascal. This may be a very good answer, for aught I know at cross purposes, but it is a whimsical one to people in our circumstances.

The thirteenth Letter of Junius, 12th of June, is a defence of him by Philo Junius, proving the duke of Grafton to be every thing that Junius has called him;—it is a compression of the facts advanced by Junius into a small compass.

The fourteenth* commences with a parallel between the history of Charles I. (in regard of Oliver Cromwell) and his descendant the duke of Grafton, (in regard to *Old Noll*,) a name assumed by one who wrote in his defence. I refer you to the Letter for the particulars of the parallel. It next animadverts with great bitterness on doctor Blackstone, solicitor to the Queen, for having asserted doctrines in the House of Commons, differing from those maintained in his Commentaries. “ The Doctor (says Philo Junius) recollects that he had a place to preserve, though he forgot that he had a reputation to lose. We have now the good fortune to understand the Doctor’s principles as well as his writings. For

* June 22, 1769.

the defence of truth, of law, and reason, the Doctor's book may be safely consulted; but whoever wishes to cheat a neighbour of his estate, or to rob a country of its rights, need make no scruple of consulting the Doctor himself." The cause of this innuendo is worth recollecting.— Dr. Blackstone had been an adviser of sir James Lowther in the dispute concerning the Cumberland crown lands, a case of which Junius never loses sight. In the next Letter * Junius returns again to the charge against his Grace, pointing him out as the long sought leader of a submissive administration, collected gradually from the deserters of all parties, interests and connections.

Nothing remained but to find a leader for
the cause of equality in Canada, and
it happened on the Fifteenth.—July 8, 1769.

† In the life of the duke of Portland which follows, it will be seen that the grant to sir James Lowther was instigated by revenge on the part of lord Bute against his Grace.

these gallant, well-disciplined troops. *Stand forth, my Lord, for THOU ART THE MAN.*" The services for the favourite's security, or gratification of his resentments, need little explanation.

LETTER XV.

28 Jan. 1816.

THE eighteenth* Letter to Dr. Blackstone is of great importance, as I shall hereafter take the pains to prove to you; it is designed as an answer to a pamphlet written in his vindication, and attributed by our author to Blackstone himself. Junius defends Mr. Grenville, whom the other had attacked for quoting a passage from the Doctor's excellent Commentaries, which directly contradicted the doctrine maintained by the Doctor in the House of Commons, on the case of Wilkes's expulsion. Junius thus concludes, "If I were personally your enemy†, I should dwell with malignant pleasure upon those great and useful qualifications which you certainly possess; and by which you once acquired,

* July 29, 1769.

† Junius thrice uses this expression, once to the printer of the Public Advertiser, in speaking of the ministry; once to the duke of Grafton; and, on this occasion, to Blackstone. May not the pains he takes to impress this assertion on the public, authorize a suspicion against the truth of it?

though they could not secure to you, the respect and esteem of your country. I should enumerate the honours you have lost, and the virtues you have disgraced ; but *having no private resentments to gratify*, I think it sufficient to have given my opinion of your public conduct, leaving the punishment it deserves to your closet and to yourself." I have already pointed out a reason why Junius, as the advocate of the duke of Portland, should have a great *antipathy* to Dr. Blackstone ; and I leave you to judge, whether Junius does or does not dwell with malignant pleasure upon the Doctor's great and good qualities.

Here follows, in the order of the dates, a private letter to Mr. Woodfall, No. VI *. Junius in a former Note, (III.) had desired Woodfall to say candidly, whether he knew, or suspected who he was. Woodfall has made him acquainted with his suspicions ; and here Junius replies, "that whether he has guessed well or ill must be left to their future acquaintance."

The nineteenth and twentieth Letters relate so much to Wilkes's business, that I shall pass them by, recording only one passage at the conclusion of the latter. "Professions of patriotism are become stale and ridiculous, or For my

sojourning abroad." /* Aug. 6, 1769. Swindon, 1769.

own part, I claim no merit for endeavouring to do a service to my fellow-subjects. I have done it to the best of my understanding; and without looking for the approbation of other men, my conscience is satisfied. What remains to be done concerns the collective body of the people. They are now to determine for themselves, whether they will firmly and constitutionally assert their rights, or make an humble, slavish surrender of them, at the feet of the ministry. To a generous mind there cannot be a doubt. *We owe it to our ancestors, to preserve entire those rights which they have delivered to our care. We owe it to our posterity not to suffer their dearest inheritance to be destroyed.* But if it were possible for us to be insensible of these sacred claims, there is an obligation binding upon ourselves, from which nothing can acquit us—a personal interest, which we cannot surrender. To alienate even our own rights would be a crime as much more enormous than suicide, as a life of civil security and freedom is superior to bare existence; and if life be the bounty of heaven, we scornfully reject the noblest part of the gift, if we consent to surrender that certain rule of living, without which, the condition of human nature is not only miserable, but contemptible."

On the 7th of September, Junius is betrayed into an idle answer to Mr. C. Whiteford's letter,

signed Junia ; he repents, and endeavours to recant, desiring Mr. Woodfall to get him out of the scrape.

His directions for that purpose are really interesting. " Suppose you were to say, we have some reason to suspect that the last letter signed Junius in this paper was not written by the real Junius, though the observation escaped us at the time ; or if you can hit off any thing *more plausible* yourself, you will much oblige me, but without a *positive assertion.*" This is a Jesuitical refinement worthy of the administration he abused. The first part of his Letter is unaccountable ; but of that hereafter.

The Letter twenty-three*, to his Grace of Bedford, was written on account of lord Chat-ham's having again brought him into power with the duke of Grafton. Junius sought the utter destruction of that administration ; and attacks every ally that they excite to their support. Sir W. Draper comes forward in his defence, and thus again occupies a series of the letters. But the reasons of our author may be traced in the miscellaneous letter, No. 60†. " It is hard to determine whether the actions of the present ministry *more excite abhorrence and indignation*, or the writings of their advocates contempt and

* Sept. 19, 1769. † Sept. 8, 1769.

ridicule. Every action of the former is an invasion of our *liberty* or our *property*; every line wrote in their defence by the latter is an insult to our understandings, and a base mockery of our sufferings. I have never yet known a bad cause made better by a bad defence. Oppression is more easily borne than insult; and the duke of Grafton, with his new directors, the Bloomsbury gang, may find, *that it is dangerous to despise those whom he has deeply injured*. Why does he let loose upon us his troops of fools, and madmen, and buffoons, and bullies?"

The business of general Gansell here occupies some time and writing; meanwhile Junius, in a private note to Mr. Woodfall on the 8th of November (No. 11*.) requests him to reprint a letter to the duke of Grafton, which had appeared the evening before in the London Evening Post. It contains an attack on lord Denbigh, who had " contrived to make himself a distinguished favourite at Court." The tenor, the style, the language, are decidedly those of Junius: and another writer, Messala, charges him directly with it, alleging or insinuating that " Junius disowned the production which praised the duke of Rutland *; because he had infamously

* The duke of Rutland, in 1765, had joined the Rockingham administration, in which the duke of Portland was lord chamberlain; and in 1766 both dukes went out with that administration.

traduced his relative, the marquis of Granby." As a Court favourite, lord Denbigh was at once a fair mark for our author, who would defend the duke of Rutland, because the ministry had slighted him *; taking the recommendation of lord Denbigh in the appointment of justices of the peace for the county of Leicester, at the time that the Duke was lord-lieutenant; nevertheless, the letter was disavowed without any chicanery, though you may perhaps still apprehend the existence of some intrigue in the correspondence that passed on the subject. I must give you a part of this private note:—" I should be much obliged to you if you would reprint (and in the front page, if not improper or inconvenient,) a letter in the London Evening Post of last night to the duke of Grafton. *If it had not been anticipated, I should have touched upon the subject myself: however, it is not ill done, and it is every material that it should be spread.* The person alluded to is lord Denbigh. I should think you might venture him with a D. As it stands, few people can guess who is meant." *Lord Granby is a man of his word, and last*

In another private letter, No. 13†, he des-
—
ministration. Lord Granby did not go out, but joined success-
ively the Chatham, Grafton, and North administrations.

* The slight is accounted for. † Nov. 16, 1769.

sires Mr. Woodfall to assure the public that this same letter, signed A. B. relative to the duke of Rutland, is not written by the author of Junius. "I sometimes (he continues) change my signature, but *could have no reason* to change the paper, especially for one that does not circulate half so much as yours."

This last is no very plausible reason, when we have just seen that he desired Woodfall to reprint the letter in his own paper, and *that* when it had not been in existence before the public so long as twenty-four hours; but his private letter to Woodfall, No. 24*, will perhaps authorize a confirmation of our suspicions. He is speaking of his letter to lord Mansfield.—

"This paper should properly have appeared to-morrow, but I could not compass it; so let it be announced to-morrow, and printed Wednesday. If you should have any fears, I entreat you to send it early enough to Miller to appear to-morrow night in the London Evening Post. In that case, you will oblige me by informing the public to-morrow in your own paper that a real Junius will appear at night in the London Miller, I am sure, will have no scruples."

On the 16th of August, 1769, he has said:—
"I believe I need not assure you that I have

* November 12, 1770.

never written in any other paper since I began with yours."

The correspondence and controversy on the subject of general Gansell's affair, and the prosecution of Mr. Vaughan, occupy the patriot writer till the 19th of December, when he publishes his Letter to the King. I shall not make any comments on it further than to observe, that the tenor of it recommends the dismissal of the Stuarts, the Tories, and all the Scots, and advises the employment of *those Whigs*, (i. e. their descendants,) *who had brought about the Revolution, and seated his Majesty's ancestors on the throne.*

On the 14th of February, 1770, Junius returns again to the duke of Grafton, who had now resigned the office of First Lord of the Treasury, *harassed and worn out by the attacks of lord Chatham and his friends in Parliament, and of Junius and the petitioners and remonstrators from all parts of the country out of parliament.* We shall soon perceive that Junius has changed his sentiments respecting the noble Lord; and, no doubt, on account of the reason just mentioned. However, the present letter demands our attention.

"*If I were PERSONALLY your enemy, I might pity and forgive you;*"—(the same expression nearly which he had used to Dr. Blackstone.)

REVENGE. You, my Lord, have successfully extended your advice to every political, every moral engagement that could bind either the MAGISTRATE OR THE MAN. In your treatment of particular persons you have preserved the uniformity of your character. Even Mr. Bradshaw declares that no man was ever so ill used as himself. *It is the BREACH of private friendship which touches Mr. Bradshaw.* Colonel Luttrell, Mr. Onslow, and governor Burgoyne were equally engaged with you, and have rather more reason to complain than Mr. Bradshaw. These are men, my Lord, whose friendship you should have adhered to on the same principle on which you DESERTED LORD ROCKINGHAM, LORD CHATHAM, LORD CAMDEN, AND THE DUKE OF PORTLAND." *His Grace of Portland, though last mentioned, was the first in rank, and entitled to precedence, as having been the first deserted.*

" We can easily account for your violating your engagements with men of honour; but why should you betray your natural connections?

" You consulted your own breast for a character of consummate treachery, and gave it to the public for that of Mr. Vaughan.

" I believe, my Lord, I may now take leave of you for ever. Retire, then, my Lord, and hide your blushes from the world, for with such a load

of shame even black may change its colour. A mind, such as yours, in the solitary hours of domestic enjoyment, may still find topics of consolation. You may find it in the *memory of violated friendship*, in &c. &c." I should not have transcribed so many passages, but that Junius sets out with saying, that he WAS NOT PERSONALLY *the Duke's enemy*. What can we have stronger than this letter?

LETTER XVI.

30th Jan. 1816.

We are now nearly arrived, according to our author's expression, at the ministerial crisis.

The city of London, the city and liberty of Westminster, the counties of Middlesex, Surry, &c. had presented petitions to his Majesty to dissolve the parliament in consequence of the illegal rejection of Mr. Wilkes by the lower house. These petitions not having been graciously received, the petitioners next assumed a bolder tone, and approached the throne with remonstrances upon the answers that had been returned to them. These remonstrances were likewise rejected, and a declaration against them

drawn up and subscribed by the aldermen on the ministerial side, while an address of the same tendency was presented by both houses of parliament. The city, in its corporate capacity, drew up and presented another remonstrance, which met with no better reception than the first.

During this crisis we find a private note to Mr. Woodfall, No. 21*, advising the letter, No. 37†, which Junius requested to be advertised directly, "to-night or to-morrow by dispersing a few handbills; pray do," he adds, "whatever you think will answer this purpose best, for now is the crisis." On the following day he writes a second private note respecting this letter, and says, "For God's sake, let it appear to-morrow: lord Chatham is determined to go to the Hall to support the Westminster remonstrance. *I have no doubt that we shall conquer them at last.*"

The Letter, of course, defends and supports the Opposition, and all the attempts made to overturn this administration so hostile to Junius, and to that cause which he had first espoused. Perhaps he was instigated to seek their overthrow by some small portion of revenge in addition to the first motive, for which we have all along given him crédit. For he has but lately

* March 17, 1770.

† March 19, 1770.

remarked, that “*insults* admit of no compensation, since they degrade the mind, and force it to seek its own level by revenge;” and in that same Letter he applies a portion of that insult to himself as an individual. Moreover, his *patriotism* was another incitement, and the *ambition* its usual attendant. But to the Letter:

“ The grievances of the people are aggravated by insults; their complaints not merely disregarded, but checked by authority, and every one of those acts, against which they remonstrated, confirmed by the King’s decisive approbation. At such a moment, *no honest man* will remain silent or inactive. *However distinguished by rank or property*, in the rights of freedom we are all equal. His Majesty assures us, that he has made the laws the rule of his conduct. Was it in ordering or permitting his ministers to apprehend Mr. Wilkes by a general warrant? Was it in suffering his ministers to revive the obsolete maxim of *nullum tempus*, to rob the duke of Portland of his property, and thereby give a decisive turn to a county election?”

The thirty-ninth* Letter, on the justice and wisdom of the proceedings in parliament, affords me few opportunities for extract. I shall detail but two or three passages.

“ The duke of Grafton certainly did not foresee to what an extent the corruption of a parliament might be carried. I do not question but the parliament has done what is usually called the King’s business, much to his satisfaction; we have only to lament, that in consequence of a system introduced or revived in the present reign, this kind of merit should be very consistent with the neglect of every duty they owe to the nation.

“ The morality of a King is not to be measured by vulgar rules. . . . A faultless insipid equality in his character is neither capable of vice nor virtue in the extreme; but it secures his submission to those persons whom he has been accustomed to respect, and makes him a dangerous instrument of *their* ambition. . . .

“ At any other period, I doubt not, the *scandalous disorders* which have been introduced into the government of all the dependencies of the empire would have roused the attention of the public. *The odious abuse and prostitution of the prerogative at home, the unconstitutional employment of the military,*” &c. &c.

We have now a Letter* in the miscellaneous collection, written about a month after the last, (for during that interval Junius had been silent,)

which reminds us of our author's accuracy and complete information in bringing forward every particular respecting the duke of Portland's business.

The paper in question, dated June 26th, 1770, is addressed, as usual, to Mr. Printer Woodfall; and, as it is short, I shall transcribe the greater part of it.

" That we may be quietly governed is a very proper petition in the service of the Church of England. If the worst men should be put in authority under the King, they will think it politic to counteract the prayers of the people, and indifferently minister injustice, to the punishment of virtue and the maintenance of vice. The duke of Grafton has devoted himself to these principles with all the fervor of an enthusiast; nor can we avoid lamenting that so inflexible a bigot should still have failed of martyrdom. His Grace has triumphed over the last moments of his power, nor permitted its extinction, till he had dismissed the Chancellor, (lord Camden had been dismissed for declaring it treason to receive Mr. Luttrell in the place of Mr. Wilkes,) and procured a pension, inadequate indeed to former merits, for the truly honest Mr. Bradshaw. The first occurrence has been sufficiently canvassed. The propriety with which his Grace has effected the second occur-

ence cannot possibly be felt through all its force till the deserving object of ministerial gratitude has spoken for himself.

“ Come forward, Mr. Bradshaw, thou worthy but much injured man, at once convince and undeceive the public. Tell them that if a person should exist who dares even to insinuate that the following relation is founded upon stubborn facts, he is a gross defamer of unbiassed honour, and would extend that rancorous abuse which hitherto has preyed upon the fairest and most courtly characters, till it asperse your own. Mrs. Allenby entered into an engagement with Miss Bradshaw in behalf of Mr. Allenby her husband. It was stipulated that she should give into Miss Bradshaw’s hands the sum of six hundred pounds, which was to have been the purchase-money of the place of surveyor of the pines in America. An application was soon afterwards made for the same place by captain P. who promised that, on receiving it he would pay down the sum of £800. In consequence of this promise, the name of Allenby, already inserted in the list of intended promotions, was erased, and the blank filled up with the name of captain P.; to which was added a written assertion that his appointment was owing to Mr. Allenby’s having chosen to decline going abroad. When this affair was examined at the *Board of Treasury*,

Mrs. Allenby was asked where her husband was during this transaction. She answered, "in Cumberland assisting in the support of the Portland interest; when Mr. Robinson and Mr. Jenkinson were doing what mischief they could to oblige sir James Lowther."

"The latter part of Mrs. Allenby's declaration occasioned some little entertainment. She was ignorant that the two intimate friends of the earl of Bute, whose characters she was then drawing, were actually present. Mr. Bradshaw pleaded in excuse that his sister, a milliner near Moorfields, was solely concerned in this business. When Mr. Cooper mentioned to Mr. Bradshaw an intention of lodging a complaint against him, he burst into tears;—they could not be tears of penitence, for those imply preceding guilt."

"When Mr. Bradshaw shall have exculpated his conduct, which cannot be arraigned without injustice, he may perhaps become a conspicuous instance of the prevalence of example."

"The voice of injured innocence may sound within a neighbouring quarter, and as the ostensible premier may be questioned on a similar occasion, his Lordship will have an opportunity to revive this long forgotten truth."

"However contemptibly the world may judge of ministers of state, they are not conscious to

themselves of any guilt.” “ Q. in the corner.”

This is the signature he used for his eighteenth Letter, wherein he insinuates that the ministry suffered Wilkes to be at liberty to terrify lord Bute; and he has occasion to employ it again shortly on this business of Miss Bradshaw's.

To one of the curious facts detailed in this letter, Mr. Grey Cooper answered the next day; viz. that he never mentioned to Mr. Bradshaw any intention of lodging a complaint against him; not knowing any circumstance that could justify the least imputation on Mr. Bradshaw, of the nature intended to be conveyed by the said letter.

Q. in the corner replies on the 30th, that he had received the circumstance of Mr. Bradshaw's *having burst into tears from an authority which he thought at least equal to Mr. Cooper's.* He gives up *this capital point*, (the tears) and calls upon Mr. Bradshaw to be so obliging as to step forward and declare upon his honor that he does not know of any circumstance whatsoever that can justify the least imputation on him of the nature which seems to Mr. Cooper to have been conveyed by his letter.

Mr. Bradshaw not complying with this request, Junius, or Q. in the corner, addresses to

him a special letter a week after, which however produces no reply on the part of the duke of Grafton's secretary.

Now, it is manifest that Junius had drawn his evidence, as he declares, "from the first source, and not from the common falsities of the day." He has not written from conjecture, and this affair furnishes another occasion to prove that Junius knew every particular, however minute, of the duke of Portland's contest with sir James Lowther: nay, I think it very fair to infer that his acquaintance with this transaction of Mr. Bradshaw's originated in his knowledge and out of the interest he felt and took in every thing that concerned his Grace of Portland. He concludes his Letter with *an allusion* to St. Stephen's Chapel, which I should not have noticed, but that in writing another Letter the same day respecting Mr. Wilkes's offering himself as the city candidate, he speaks of St. Stephen's chapel by name.

"There is a place which once was called the House of Prayer:—I leave it to men more versed in scripture phrases than myself to tell you what it is at present. Should you hereafter think it proper to discuss this subject there, you possibly may find an individual in that virtuous congregation who will assist the hitherto ineffectual inquiries of Q. in the corner."

The passage in the other Letter is simply this:—“ I am ready to acknowledge, that in rigorous consistency the city of London ought not to return any representative to St. Stephen’s chapel,” &c. &c. This Letter is signed, “ A Labourer in the same cause;” and, I dare say, the writer of Junius never expected to see them both given to the world together, as the productions of his pen, after an interval of forty-three years. Had they not been avowed by his Editor, my remark would have been more in point. But I hope to make a further use of *the observation* hereafter.

LETTER XVII.

1 Feb. 1816.

THE fortieth Letter* to lord North, designates that nobleman “ the worthy representative of lord Bute, and discusses the subject of colonel Luttrell’s promotion to the office of adjutant-general in Ireland, which he resigned a few days after.

From the date of the last till the 19th of October, Junius is silent. He then tells Woodfall he is not the author of the Whig; that he nei-

* August 22, 1770.

ther admires the writer, nor his idol, lord Chat-ham.

On the 12th of November, he incloses his pa-per on lord Mansfield in a cover to Woodfall, telling him, "We have got the rascal down, let us *strangle him*, if it be possible. . . . Lord Mans-field has thrown the ministry into confusion by suddenly resigning the office of Speaker of the House of Lords."

Of the paper itself, I need not say much: lord Mansfield was a Scotchman, as well as lord chief justice, he had presided at the trial of Woodfall and Almon for publishing Junius's Letter to the King, and Junius taxes him with being one of the Bute party—a catalogue of reasons quite sufficient to have drawn down the vengeance of our author, who calls him a wretch, in a subsequent note, and says he will never rest till he has destroyed or expelled him.

No. 78 * of the miscellaneous collection, is an attack on the secretary at war, with a compari-son between Charles I. and the King, and is not material; but No. 79 † returns to the abuse of his Grace of Grafton, in anticipation of his taking the office of first lord of the Admiralty. Our author employs the signature of Domitian, and commences his attack by observing on the

* November 24, 1770.

† Dec. 7, 1770.

report of his Grace's return to power, that he thought Junius had fairly hissed him off the stage.

“It is the Duke's misfortune that he fails equally in firmness and propriety; that he neither acts with judgment nor speaks with ability. Look at his conduct from the outset; I mean with a reference, not to the treachery, but to the folly of the man; *his earliest personal attachment in life was the duke of Portland: that friendship he has foolishly dissolved, without succeeding in his purpose to oblige sir James Lowther.*”

He then follows him through his political career, until he throws himself “body and soul” into the arms of the Bedfords. The Letter concludes with a most ridiculous speech, as a specimen of his Grace's eloquence in the House of Lords; in prefacing which, Junius says *he has often had the honour of hearing him talk in public.* In a postscript to another Letter * with the same signature, he desires Mr. Woodfall to “tell the duke of Grafton that if he should dare to entertain the most distant thought of the Admiralty, the whole affair of Hine's patent should be revived and published with an accumulation of evidence.—“He at least shall be

* No. 83.—December 24, 1770.

kept under : his Ciceronian eloquence shall not save him."

No. 87 *, signed Domitian, is a direct charge on the Princess Dowager, for conspiring with the earl of Bute to keep the government of the realm to themselves. According to the author, " there are two leading principles in the politics of St. James's, which will account for almost every measure of government since the King's accession. The first is, that the prerogative is sufficient to make a lackey a prime minister and to maintain him in that post without any regard to the welfare or to the opinion of the people. *The second is, that none but persons insignificant in themselves or of tainted reputation should be brought into employment.*

" Every office in government is filled with men who are known to be her creatures (the Princess's), or by mere cyphers incapable of resistance."

On the subject of the Falkland Islands, Junius says, (Letter forty-two †) " *Violence and oppression at home can only be supported by treachery and submission abroad. When the civil rights of the people are daringly invaded on one side, what have we to expect but that their political rights should be deserted and betrayed in the same*

* January 17, 1771.

† January 30, 1771.

proportion on the other? A man of spirit does not measure the degree of an injury by the mere positive damage he has sustained. *He considers the principle on which it is founded, he resents the superiority asserted over him, and rejects with indignation the claim of right which his adversary endeavours to establish, and would force him to acknowledge; a clear unblemished character comprehends not only the integrity that will not offer, but the spirit that will not submit to an injury.*"

LETTER XVIII.

2 Feb. 1816.

WE are now bringing the proofs of our first proposition towards a close; and but little matter remains to be placed before you on the mere subject of the part which Junius has taken, directly or by inference, in the affairs of the duke of Portland. I have purposely declined making hitherto any comments on the evidence I have collected from his numerous letters, preferring to leave it to your dispassionate consideration, without any recommendation that might influence your own judgment on it for the present.

I think I may repeat, (without incurring the charge of an unjust bias to the opinion with which I commenced this investigation,) that Ju-

nius never has lost sight of the Cumberland grant to sir James Lowther, nor of the behaviour of the ministry ; and particularly of the duke of Grafton, on that business which was of such vital importance to the duke of Portland. The very language, as well as the sentiments, which he employed in support of that great first cause, pervade all his subsequent writings ; and though he is perpetually engaged in repelling the attacks of the many antagonists which his subsequent writings raised up against him, and thus drawn into a complicated correspondence, which he never sought nor relished, the subject which seemed at first so near his heart, almost perpetually obtrudes itself ; and he is no sooner released from the irksome part of his correspondence, than he returns with fresh energy, either to his Cumberland election, the *Nullum Tempus* bill, the favourite, or his “minions,” the duke of Grafton, and lord North.

But Junius, as I formerly asserted, was a staunch Whig, and ever kept in view the restoration of his party, whose “proscription,” as he terms it, was certainly no small motive to authorize the long war which he carried on against the interest of lord Bute and the Princess Dowager. You will judge whether that proscription alone sufficed for the stimulus of his attacks. I have already spoken to this point. The grant to sir

James Lowther was not reversed ; and the Whigs as yet only looked forward to power. But to return to our investigation.

Junius has left no stone unturned to puzzle and confound the ministry. As Domitian ; "a member of one house in mourning for his King and Country ;" as A. B. ; Vindex ; an Englishman and an Enemy to the Cabinet therefore ; G. W. ; and a Whig, he scarce affords any respite to his opponents. As a Whig, however, we shall consider his cause hereafter ; though I shall here quote a passage from the ninety-fifth * Miscell. Letters, in prosecution of the plan with which we at first entered on this mysterious subject. Junius speaks of the King. " He found this country in that state of perfect union and happiness which good government naturally produces, and which a bad one has destroyed. He promised to abolish all distinctions of party, and kept his word by declaring lord Bute his favourite minister, by proscribing the whole Whig interest of England, and by filling every place of profit and trust under his government with professed Tories, notorious Jacobites, and Scotchmen of all denominations.

" The known laws of the land, the **RIGHTS OF THE SUBJECT**, the sanctity of charters, and the re-

verence due to our magistrates, must all give way, without question or resistance, to a *privilege*, of which no man knows either the origin or the extent.”

In his Letter to lord Suffolk * he says, “The man who, without honour to support any administration from principle, has still craft enough to betray all, may perhaps be solicited by every successive minister; or, perhaps, their credulity may be deceived into his friendship; but the poor untaught villain, who can neither support with consistency, nor betray with decency, *will be despised by those whom he deserted, and ridiculed by the very men to whom he has made so capital a surrender.*” This last sentence explains the cause of Junius’s bitterness; but see farther. “Your connection with such men as lord Rockingham, sir George Savile, *the duke of Portland, and the duke of Richmond*, was no disgrace to you.” “Had administration reversed its order of governing, and given you any security for the *preservation of our rights, and redress of our grievances?* If any private assurance of this sort has been given you, I shall think your conduct has been consistent, though it will still be disgraceful with respect to your friends in opposition.”

The duke of Grafton having now returned to office, that is to say, having lately been appointed lord privy-seal, Junius loses no time in commencing a fresh attack on his Grace, which he urges with so much virulence, that he seems regardless of its involving even the sacred person of the Sovereign.

The letter or the occasion had gratified its author, who says to Woodfall, in a note*, that he is strangely partial to it, and that it is finished with the utmost care; adding, that if he finds himself mistaken in his judgment, he positively will never write again. He commences with a profession of profound respect to the gracious Prince who governs this country; and who, by restoring his Grace of Grafton to his rank under the royal standard, saves him from a multitude of reproaches.

"While I remember (says he) how much is due to his sacred character, I cannot, with any decent appearance of propriety, call you the meanest and the basest fellow in the kingdom. But this language is too mild for the occasion. The King is determined that our abilities shall not be lost to society: the *perpetration* and *description* of new crimes will find employment for us both."

He seems, by this, to have dedicated his la-

hours solely to the duke of Grafton; and he declares afterwards that had his Grace withdrawn entirely, he would have followed him into his retirement. " You would long since have received your final dismission and *reward*; and I, my Lord, who do not esteem you the more for the high office you possess, would willingly have followed you to your retirement.

" His Majesty is full of justice, and understands *the doctrine of compensations*. He remembers, with gratitude, how soon you had accommodated your morals to the necessities of his service; how cheerfully you had abandoned the engagements of *private friendship*, and renounced the most solemn professions to the public. You did not neglect the magistrate while you flattered the man!

" We need not look for any other species of merit, to account for his taking the earliest opportunity to recall you to his councils; yet you have other merit in abundance. Mr. Hine—the duke of *Portland*, and Mr. Yorke—breach of trust—robbery and murder. The duke of *Portland* was in life your earliest friend. In defence of his property, he had nothing to plead but equity against sir James Lowther, and prescription against the Crown; you felt for your friend, but the law must take its course. Posterity will scarce believe that lord Bute's son-in-law had barely

interest enough to get his grant completed before the general election. This letter, my Lord, is only a preface to my future correspondence; without pretending to more than Mr. Bradshaw's sincerity, you may rely on my attachment, as long as you are in office."

Though he has here again, you perceive, raked up the story of the duke of Portland, and taxed his Grace of Grafton with a breach of his earliest friendship, on account of it, you will find by his ninety-eighth * Miscellaneous Letter, that he would not take the trouble of reviving and republishing the affair of Mr. Hine's patent, which he had promised as "Domitian," in case the Duke should dare to entertain the most distant thought of the Admiralty; the Duke, indeed, gave up the Admiralty, but accepted a higher and more lucrative office. Still Domitian, though repeatedly called forward, declined producing his evidence, though by his hints of *Tommy Bradshaw, miss Polly Bradshaw, Ross the agent, Taylor the house-builder, and Taylor's little boy*, he leaves us to imagine that he really possessed it; but he returns to the duke of Grafton.

" How remarkable is it, and I speak of it not as matter of reproach, but as something pecu-

liar to your character, that *you have never yet formed a friendship, which has not been fatal to the object of it, nor adopted a cause to which one way or other, you have not done mischief*; your attachment is infamy, while it lasts; and whichever way it turns, leaves ruin and disgrace behind it. Your Grace's re-appointment to a seat in the Cabinet was announced to the public by the ominous return of *lord Bute to this country*; when that noxious planet approaches England, he never fails to bring plague and pestilence along with him."

Mr. Harley being employed by the "friends of government" to bring in Messrs. Plumbe and Kirkman, as sheriffs of London, Junius asks of the duke of Grafton, "But, was there no other person of rank and consequence in the city, whom government could confide in, but a notorious Jacobite? Did you imagine that the whole body of the Dissenters, that the whole Whig interest of London, would attend at the levee, and submit to the directions of a notorious Jacobite? Is there no room at St. James's, but for *Scotchmen and Jacobites?*"

LETTER XIX.

3 Feb. 1816.

I SHALL not dwell on the correspondence of Junius and Mr. Horne, as it no way emanated from the plan or pursuit of our author. It is generally admitted, and I think with great reason, that Mr. Horne had the better side of the argument; and that he defended it with as much ability and no less success than his antagonist. In the fifty-fourth * Letter, which forms a part of this correspondence, we have that remarkable passage in praise of lord Chatham, whom Junius had formerly designated as a lunatic, brandishing a crutch, or writing with desperate charcoal a letter to North America, or brawling through a grate as an idol; with a few other appellations not necessary to enumerate. But lord Chatham had deserted Bute and Grafton, and ranked himself again with the Whigs.

" I did not intend to make a public declaration of the respect I bear lord Chatham: I well knew what unworthy conclusions would be drawn from it. But I am called upon to deliver my opinion, and surely it is not in the little censure of Mr. Horne to deter me from doing signal justice to a man who, *I confess, has grown upon*

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my esteem. As for the *common sordid views of avarice, or any purpose of vulgar ambition*, I question whether the applause of Junius would be of service to lord Chatham. *My vote* will hardly recommend him to an increase of his pension, or to a seat in the Cabinet; but if his ambition be upon a level with his understanding, if he judges of what is truly honourable for himself, with the same superior genius which animates and directs him to eloquence in debate, to wisdom in decision, even the pen of Junius shall contribute to reward him. Recorded honours shall gather round his monument, and thicken over him: it is a solid fabric, and will support the laurels that adorn it. I am not conversant in the language of panegyric, these praises are extorted from me, but they will wear well, for they have been dearly earned."

Speaking of the duke of Grafton in the same letter, he owns himself willing to suppose that in public affairs it would be impossible to desert or betray lord Chatham, without doing an essential injury to this country. " My abhorrence of the Duke (he adds) arises from an *intimate knowledge of his character*, and from a thorough conviction that his *baseness* has been the cause of greater mischief to England than even the *unfortunate ambition of lord Bute*."

But, to follow the course of our investigation:

we must now proceed to the fifty-seventh* Letter, the third with which Junius has favoured the duke of Grafton, since his return to power.

In the first, I quoted several passages which relate to the duke of Portland's case, and to the friendship that subsisted between the two dukes, to which Junius alludes again in the second. In the third now before us, the same affair is brought forward again. This Letter is written to expose the conduct of the duke of Grafton, in respect of his prosecuting the surveyor's deputy, for proceeding to cut down the oaks in Whittlebury Forest, of which his Grace was *hereditary ranger*, without having in his pocket the warrant from the Treasury for so doing. Another writer, Philalethes, defends the Duke's conduct, and asserts that his Grace had not either said or done what Junius had charged him with, and I do not profess to clear up the point, which to us is immaterial; but Junius, who had defended the duke of Portland, when the recommendation of the surveyor to grant away his property had been adopted by the Board of Treasury, seizes immediately on this as a parallel case, wherein the duke of Grafton's interest is at war with the doctrine he delivered on the conduct he pursued in the former case. Junius considered this Let-

ter on Sept. 28, 1771.

ter of *material importance*, and sent it to his printer with an intimation, that “it must be given to the public immediately.”

“The people of England,” says Junius to his Grace of Grafton, “have seen you distinguished, and successful, in the continual violation of the *moral and political duties* by which *the little*, as well as *the great societies* of life, are collected and held together.” He then details the case, and proceeds to say, that the Duke had insisted on the dismissal of an active useful officer.

“ You have ruined an innocent man and his family—in what language shall I address so black, so cowardly a tyrant—thou worse than one of the Brunswicks, and *all the Stuarts*. To them who know lord North, it is unnecessary to say, *that he was mean and base enough to submit to you*. This, however, is but a small part of the fact. After ruining the surveyor’s deputy for acting without the warrant, you attacked the warrant itself; you declared it was illegal, and swore in a fit of foaming frantic passion, that it never should be executed.” He then taxes him with having declared on his honour that the property of the timber is vested in the ranger, which Junius as flatly denies. “ The grant,” he continues, “ expressly, and by a particular clause, reserves the property of the timber

for the use of the Crown. In spite of this evidence, in defiance of the representations of the Admiralty, in perfect mockery of the notorious distresses of the English navy, and those equally pressing, and almost equally notorious necessities of your pious Sovereign;—here the matter rests. The Lords of the Treasury recall their warrant,—the deputy surveyor is ruined for doing his duty, &c. &c.”

“*There has been a strange alteration in your doctrines, since you thought it advisable to rob the duke of Portland of his property, in order to strengthen the interest of lord Bute's son-in-law,* before the last general election. *Nullum tempus occurrit regi, was then the boasted motto and the cry of all your hungry partisans.* Now it seems a grant of Charles the Second to one of his bastards is to be held sacred and inviolable. *It must not be questioned by the King's servants, nor submitted to any interpretation but your own.*—My Lord, this was not the language you held when it suited you to insult the *memory of the glorious deliverer of England* from that *detested family* to which you are still more nearly allied in principle than in blood. In the name of decency and common sense what are your Grace's merits, either with King or ministry, that should entitle you to assume this domineering authority over both?”

The Letters of our author from this time treat mostly of city business, the election of the lord mayor, and the circumstance of lord Mansfield bailing a felon.

The miscellaneous correspondence is in a great measure addressed to lord Barrington, whom Junius proposed *torturing by way of entertaining himself and the public*, “as he had nothing better to do.” His Letters to his Lordship, however, do not commence till the end of January, 1772, in the next year.

LETTER XX.

6 Feb. 1816.

His Grace the duke of Grafton is not honoured with any further notice till the 28th of November, a lapse of two months had intervened since his last; but in that interim the Crown on the part of sir James Lowther had been nonsuited in the Court of Exchequer, though it had triumphed in the House of Commons. ‘On the 22nd November, 1771, came on before the Barons of the Exchequer at Westminster Hall, the great cause between sir James Lowther, plaintiff, and the duke of Portland, defendant, in consequence of a grant made to sir James Lowther of the Forest of Inglewood.

in the year 1767. After a full, candid, and most impartial examination of the said lease, it was found *invalid*, agreeable to the statute made in the first year of queen Anne, which recites, that upon every grant, &c. there shall be reserved a reasonable rent, not being under a third part of the clear yearly value of such of the said manors, &c. contained in the lease. Sir James Lowther's grant reserving only a quit rent of thirteen shillings and four-pence, for the whole of Inglewood, it was judged by the Court an inadequate proportion, and he was nonsuited accordingly.' This verdict was given on the 22nd of November; on the 28th, Junius thus asserts the triumph of the duke of Portland.

“ TO HIS GRACE THE DUKE OF GRAFTON.

28 Nov. 1771.

“ WHAT is the reason, my Lord, that when almost every man in the kingdom, without distinction of principles or party, exults in the ridiculous defeat of sir James Lowther, when good and bad men unite in one common opinion of that Baronet, and triumph in his distress, as if the event (without any reference to vice or virtue) were interesting to human nature, your Grace alone should appear so miserably depressed and afflicted. In such universal joy I know not where you will look for a compliment

of condolence, unless you appeal to the tender sympathetic sorrows of Mr. Bradshaw : he never weeps, but like an April shower, with a lambent ray of sunshine upon his countenance. From the feelings of *honest* men upon this joyful occasion, I do not mean to draw any conclusion to your Grace: they naturally rejoice when they see a *signal instance of tyranny resisted with success*; of *treachery exposed to the derision of the world*; *an infamous informer defeated, and an impudent robber dragged to the public gibbet*; but, in the other class of mankind I own I expected to meet the duke of Grafton. Men who have no regard for justice, nor any sense of honour, seem as heartily pleased with sir James Lowther's *well deserved punishment*, as if he did not constitute an example against themselves. The unhappy Baronet has no friends even among those who resemble him; you, my Lord, are not reduced to so deplorable a state of dereliction; *every villain in the kingdom is your friend*, and in compliment to such amity, I think you should suffer your dismal countenance to clear up. Besides, my Lord, I am a little anxious for the consistency of your character: you violate your own rules of decorum, when you do not insult the man whom you have betrayed.

“ *The divine justice of retribution seems now to have begun its progress. Deliberate treachery*

entails punishment upon the traitor. There is no possibility of escaping it, even in the highest rank to which the consent of society can exalt the meanest and worst of men. The next is a most remarkable instance of the goodness of Providence. *The just law of retaliation* has at last overtaken the little contemptible tyrant of the North. To this son-in-law of your dearest friend, the earl of Bute, you meant to transfer the duke of Portland's property, and you hastened the grant with an expedition unknown to the Treasury, that he might have it time enough to give a decisive turn to the election for the county. The immediate consequence of this *flagitious robbery* was, that he lost the election, which you meant to insure him, and with such signal circumstances of scorn, reproach, and insult (to say nothing of the general exultation of all parties) as hardly ever fell upon a gentleman in this country; in the event, he loses the very property of which he thought he had gotten possession; and *after an expense which would have paid the value of the land in question twenty times over*. *The forms of villainy*, you see are necessary to his success; hereafter you will act with greater circumspection, and not drive so directly to your object—*to snatch a Grace beyond the reach of common treachery*, is an exception, not a rule:—And

now, my good Lord, does not your conscious heart inform you, that the justice of retribution begins to operate, that it may soon approach your person? Do you think that Junius has renounced the Middlesex election, or that the King's timber shall be refused to the royal navy with impunity, or that you shall hear no more of the sale of that patent to Mr. Hine, which you endeavoured to skreen by suddenly dropping your prosecution of Samuel Vaughan, when the rule against him was made absolute? I believe, indeed, there never was such an instance of negative impudence,—but it shall not save you: the very sunshine you live in is a prelude to your dissolution; when you are ripe you shall be plucked."

I have quoted nearly the whole of this epistle as evidence of the satisfaction that Junius seems to feel at the decision of the Portland cause. I cannot but think I perceive in every line and in every expression an air of triumph and a feeling of conquest which even the patriot Junius would hardly exhibit except the success were doubly dear to his heart, and recompensed his talents and his perseverance, while it gratified his revenge: for he has told us that insults debase the mind "until it feels obliged to seek its level again by revenge."

As to the other cases; the Middlesex elec-

tion, the Whittlebury oaks, Mr. Hine's patent, or Mr. Vaughan's prosecution, no more mention is ever made of them.

LETTER XXI.

7 February, 1816.

THIS triumphant Letter, however, was answered the next day by a writer who assumed the signature of Anti-Junius, and thus addressed our author :—

“ Had Junius a single friend in the world whom he dared trust or consult, his performance of yesterday, so uninstructive to your readers, so fatal to his reputation, would surely have never found its way to the press. *His invective has neither novelty nor variety to recommend it*; the public palate must nauseate at the insipidity of his repeated abuse, and loath the repast which his miserable thrift has attempted to furnish forth from the cold scraps and baked meats of his former scurrilous entertainments. In vain does this political fiddler labour for the public attention, by thrumming the worn out strings of *Middlesex election*, Whittlebury timber, Hine's patent, and the long forgotten rule made absolute against the long forgotten Vaughan. The voice of the charmer himself can no longer charm with these sounds; these chords so re-

peatedly struck fall flat, even upon the ear of Envy itself.

“ Sir James Lowther’s nonsuit is, in the eye of the heaven-reading Junius, another visible operation of retribution ; not on the King, indeed : he does not seem to be affected by it, any further than as it has introduced in the parenthesis of the Luttrell alliance : but, on the poor duke of Grafton, whose days are anxious, and whose nights are sleepless, because a *grant obtained to serve a purpose, long since defeated, and to gratify the importunities of a man ever burdensome to every administration, is adjudged invalid* : for this the duke of Grafton wears the dismal countenance of solitary sorrow ; for this does he fruitlessly look round for consolation ; for this does Mr. Bradshaw shed the April showers of lambent lamentation. Surely Junius thinks to mislead reason, and annihilate common-sense, by the use of a few ridiculous, half-meaning epithets, &c. &c.”

To this production of his opponent, Junius returns a short answer on the 4th of December following. It is addressed to the Printer of the Public Advertiser*, and signed *Juniper*.

“ Your ingenious correspondent Anti-Junius, has too much wit and taste to be easily satisfied.

It is really a misfortune to be born with such exquisitely fine feelings. If now that he is well fed and clothed, he cannot endure the severity of a southern breeze, what would become of him upon his native mountains? Junius can never write to please him. If *he revives the least mention of PAST ENORMITIES*, what is it but cold scraps, baked meats, political fiddling, and the voice of the charmer! hashed mutton and DUTCH music with a vengeance! If, on the contrary, he lays any new villanies before the public, then one and all the hungry pack open upon him at once.

“ Here’s invention for you! What an abominable liar! Why does he not stick to his facts! Does he think us such ideots, as to swallow wit for truth! In short, Sir, the Scotch have strange qualmish stomachs ; it is not in the art of cookery to please them. Nothing will go down but oatmeal and brimstone.

“ Anti-Junius is not so explicit as I could wish.... *What was that purpose for which sir James Lowther’s grant was obtained, and which Anti-Junius says has been long since defeated?* Who does he mean by a man ever burthensome to every administration? I hope he does not mean the duke of Grafton’s friend, sir James Lowther; or at least that he does not give the Baronet this

pretty character, BY ORDER OF THE DUKE OF GRAFTON."

This last sentence may recall to your mind an expression in Junius's Letter of the 28th November. " Besides, my lord, I am a little anxious for the consistency of your character. *You violate your own rules of decorum, when you do not insult the man whom you have betrayed.*"

In the acknowledged collection of our author's writings, there follows a very long Letter to lord Mansfield, on the business of Eyre, a felon, whom his Lordship had admitted to bail. This Letter was absolutely necessary, as Junius, on the 2d of November preceding, had pledged himself before God and his country, in proper time and place, to make good his charge against the Chief Justice. On the same day that he endeavoured to fulfil this engagement, he published a Letter to lord Camden, whom, we may remember, he formerly had caricatured, as being armed with a dagger, which he called the law of nature, and followed, as it marshalled him the way to the murder of the constitution.

He has materially changed his sentiments, and now gives lord Camden credit for every great and good qualification, while he begs him to come forward, and impeach lord Mansfield, for having violated the laws, in bailing Eyre. An

extract from one of his private Letters to Mr. Wilkes closes the acknowledged correspondence of Junius: but he still *amuses* himself with writing *at* lord Barrington, who had dismissed Messrs. D'Oyly and Francis from the War Office, to make room for Mr. Chamier, and another of his friends. Junius's first Letter to his Lordship is dated the 28th of January, when he says, "This is the first of SIXTEEN LETTERS, addressed to your Lordship, which *are ready* for the press, and shall appear as it suits the printer's convenience."—We have already observed, that he had told Woodfall he meant to entertain himself and *the public with torturing lord B. having nothing better to do.* This had been three days previous to his first Letter.

On the 6th of February, 1772, Junius uses the signature of Anti-Belial, in defence of the long Letter to lord Mansfield. The second epistle to lord Barrington is on the 17th of the same month; the third on the 27th; and the fourth on the 10th of March. These are all signed Veteran, and, in the first, Junius uses the expression, "We soldiers feel it as an indignity, &c." The fifth is dated on the 23d of March; and the sixth, on the 4th of May, is signed Scotus, for the purpose of reproaching his Lordship with having asserted, in a letter to lord Melcombe, that "Cockburne, like most of his

countrymen, was as abject to those above him, as he was insolent to those below him."

On the 8th of May, 1772, follows a letter of congratulation to the Lords Commissioners of the Admiralty, on the appointment of Mr. Bradshaw to be a member of their board. Mr. Bradshaw, he says, appeared first in the world as a domestic of lord Barrington's.

The *Memoirs of his Lordship* were published on the 12th, under the signature of Nemesis, who details the policy by which he kept the place assigned him by the duke of Newcastle, after that minister's resignation in 1756, and the contrivances by which he had managed, from that time, never to be a moment out of place. He concludes by stating, that lord Barrington had received 53,000*l.* of the public money, and thus concludes his last public Letter.

Junius may have had various reasons for thus entertaining himself and the public by torturing lord Barrington, who does not appear to have interfered directly with the case of the duke of Portland*. I will, however, recapitulate the ostensible reasons which are supposed to have instigated the satire, as well as abuse, of the writer *before us.*

* His writing after the 28th of November will be accounted for in the memoirs of the duke of Portland which follow.

“ He served, in 1760, under the duke of Newcastle, whom he deserted for Mr. Pitt, having meanwhile ruined the Governor of Gibraltar, general Fowke. He next served under lord Bute. Lord Rockingham then employed him, and, while he existed by his protection, he intrigued with the duke of Grafton. But lord Chatham was again the only man in the kingdom fit to govern a great empire: still, when the duke of Grafton took the lead, lord Barrington saw things in a different point of view. Lord North was then the man after his heart, and, during his administration, in 1772, he caballed *with the duke of Grafton and the Bedfords, to obtain the recall of lord Townshend, and to drive lord North from the treasury.*” A plan to prevent the Whig party still from coming into power.

Lord Barrington thanked the troops, in 1768, for their behaviour in St. George’s Fields, where fourteen persons were shot, desiring them to persist in the performance of their duty with alacrity, and promising them every defence and protection that the law could authorize, or the War Office give.

In February, 1769, he moved the expulsion of Wilkes, seconded by Mr. Rigby; 219 members voted with him: the minority amounted to 136, among whom Mr. George Grenville made the

best speech in defence of Mr. Wilkes. In 1770 he declared that he did not know a single general officer, out of a hundred in the service, who was any way qualified to command the army.

He had now made the Ex-secretary of the duke of Grafton, Mr. Bradshaw, his own *deputy* in the War Office. *He had voted against the nullum tempus bill.*

He had given his *advice* to the Duke of Grafton, *not* to the *ministers*, to *allow* *the* *French* *to* *cross* *the* *Channel*. *He had given his* *advice* *to* *allow* *the* *French* *to* *cross* *the* *Channel*.

LETTER. XXII.

MY LORD,

9 February, 1816.

THE author of the Preliminary Essay, seeking a motive for Junius's writings, thus expresses himself: "Whether the writer of these Letters had any other and less worthy object in view than that he uniformly avowed, namely, a desire to subserve the best political interests of his country, it is impossible to ascertain with precision. *It is unquestionably no common occurrence in history, to behold a man thus steadily, and almost incessantly for five years, volunteering his services in the cause of the people, amidst abuse and slander from every party, exposed to universal resentment, unknown and, not daring to be known, without having ANY PERSONAL OBJECT TO ACQUIRE, any sinister motive of individual aggrandizement.*

or reward. Yet nothing, either in his public or private Letters, affords us the remotest hint that he was thus actuated.” Thus we may observe, that the writer suspected a motive, though he could not find one; however, we have discovered a mass of evidence illustrative of a paramount motive—the restoration of the forest of Inglewood, and of the castle and manor of Carlisle : *the security of the duke of Portland's estate.*

Your Lordship has seen, that a real or supposed persecution of this nobleman, was apparently the first instigation to these celebrated Letters. The writer is so evidently affected by it, that he pursues it in all its stages : it is that which lends a venom to almost every arrow of his quiver : it is that which points and even wings every shaft. As if incensed at this persecution, the indignation of the patriot Junius bursts into a flame at the first breath of it ; and this flame, fiercely as it burns, is neither extinguished nor consumed, until the persecution which had been resisted is abandoned, and the injury atoned by the defeat of sir James Lowther, and the consequent mortification of Junius’s most hateful enemy, the duke of Grafton. On the decision of the Barons of the Exchequer, the perseverance of Junius first manifests a suspension, after having kept before the public the case of the duke of Portland, through a lapse of

four years and a half, detailing it in particular, or in part in seventeen Letters, and quoting or adverting to it in nearly twice as many more.

Before I produce the collateral proofs which I have been able to procure, or lay before you a statement of the Duke's public history during the period occupied by these Letters, I wish much to impress you with a just idea of Junius's accuracy on this particular question. It is not that this is his first and chief engine of attack, that he descants on it with a malignity and inveteracy sometimes amounting almost to ferocity, but that he is so correctly informed on every point connected with it, that it is not possible but that either his Grace of Portland, or some one of his immediate relatives, must have afforded that information. "Your Lordship," says Junius to lord Hillsborough, under the character of Cleophas, "is exactly acquainted with particulars* which could only be known to a few persons." We may use the same language and idea, to infer that his Grace, under the character of Junius, was exactly acquainted with particulars which could hardly be known to any but those connected privately with himself.

The *case* of the duke of Portland was published by Almon, in the year 1768†. I have

before observed, that the last Letter recorded in it is dated the 8th of January in that year. Now Junius relates several particulars affecting the Portland cause on the 16th of February following; and some other still more important points of it on the 24th. On the 4th of March, the whole doctrine of *nullum tempus* is discussed; the plan and conduct of the ministers, the information of sir James Lowther, and its consequences. The Letter of Anti-van-Teague follows on the 11th of March, and the answer of Anti-Stuart on the 24th. Here are five Letters from the pen of Junius, detailing almost every individual particular of the case of the duke of Portland, stating the manœuvres and duplicity of the ministers, who gave out, he says, that they were not free agents, but acted as *creatures of execution* to the Surveyor-General. Whence did Junius derive this mass of information? or any part of it? *The duke of Portland's case was not published, not even advertized by the publisher, until the 2d of April following.* Had it been publicly known when Junius was apparently engaged afterwards in writing down the ministry, and * attacking the King and the Commons, that the same patriotic spirit had formerly dictated these five Letters, I think the

* See Letters of Junius and Wilkes, No. 81.

public would not have long hesitated in pronouncing *who* was the author. But besides that he employed three different signatures, and left another of them blank, no one but Woodfall knew, even in after-time, not in fact till the recent publication of the Miscellaneous Letters, that Junius, under so many disguises, had formerly written at all. The case, when it appears, is found to contain a statement of facts exactly corresponding with every thing, even to the most minute particulars, as related by Junius; nay, not only the sentiments, the language, the style, the very words; but the rage and fury of the popular writer are visible in every page of it. The critics of the day attributed it to the duke of Portland himself, or to his friends. I find, in the Monthly Review for April 1768, this passage respecting the case in question. "*It is no wonder that the Duke, seeing an estate of such value and great consequence thus wrested out of his possession, should have recourse to every means of redress that the laws of his country may possibly afford him; but how far it has been RIGHT IN HIM OR HIS FRIENDS to ring the alarm bell in the ear of the public, in the manner they have done, as though the rights and properties of every subject in the kingdom were in danger from the encroachments of prerogative and ministerial oppression, is a matter which we will not take upon*

us to decide. Hear how the writer of this case declaims on the subject. 'One should hardly have conceived in whose heart or head such *horrid plans of tyranny and vexation* could be devised, if the untutored folly of these mock-ministers had not blurted it out; but we are told that this confiscation is but a part of a magnificent plan for resuming the forest claims, and reviving the forest laws. Perambulate, level encroachments, trample down the vineyard and the waving corn, expel the cottager, who with two hundred years' mistaken labour has made the forest bring forth food for the use of man. Spare not his little ewe lamb, for that too has grazed feloniously on the royal demesnes. Search, validate the dormant claims of the Crown; the resources must be made good—they must be restored by such windfalls as it shall please God to send in the lapse of time, by the destruction of family writings. We have two hundred and five years to range in; the civil wars have intervened; fire, deaths, attorneys, executors and their executors may have destroyed or mislaid the parchments; here is rich plunder for the public. Fall on, spare not, nay not one; *royalists, sons of the revolution, Hampdens, 'nullo discrimine.'* Of all the wonders I have ever met with, it is the most astonishing to have heard in open parliament, a deliberate proposal, in cold

blood, of raising a revenue from a concerted system of search for confiscations ; not for any crimes committed, or any in contemplation, but as the ungracious recompense for all the glorious and immortal virtues of those men who have heretofore rescued this kingdom from oppression. Plunder the posterity of those heroes on whom was heretofore bestowed the rewards of their valour and virtues with unregretted munificence. We have been too liberal ; we have rewarded the supporters of liberty and of the Protestant cause with too prodigal a hand, we have purchased these baubles at too dear a price. Resume, confiscate, replenish the public coffers with the spoils of patriotism. Si ærarium ambitione exhauserimus per scelera replendum erit.' "

After this specimen, neither your Lordship nor myself can feel much surprise or doubt at the expression of the critics concerning *the noble Duke or his friends*, for never could any writer betray his personal feelings or personal interest in more obvious or glaring colours, than this author, in the paragraph just quoted. It would be idle to argue on such a question, therefore I shall return to the five Letters, to furnish you with a brief comment on Junius's accuracy. The first of these Letters, without a signature, attacks the ministry for putting the great seal in commission, observing that the insignificance of the

three persons to whom its care had been committed, indicated that *some particular design was to be executed.*" In Almon's case, I find this remark (page 25), "The privy-seal is put into commission, for no other purpose but to hear counsel on that *caveat which the duke of Portland had entered at the privy-seal.*" Junius continues, "The establishment of the several high offices of state forms a natural and constitutional check upon the prerogative of the Crown; no illegal or unconstitutional grant, charter, or patent can take effect from the mere motion of the Sovereign, but must pass through a great number of offices, in each of which it is the duty of the officer, if the case require it, to remonstrate to the Crown, as he is himself answerable for the consequences of any public instrument which he has suffered to pass through his department. The delay of this progression has another good effect, in giving the subject time and opportunity to enter his protest against any sudden or inconsiderate grant by which his own property, &c. &c. may be affected." Now for the case: "The duke of Portland's agent waited upon the Chancellor of the Exchequer to withhold the seal in consequence of the *caveat* entered at his office. His Lordship (Lord North) said he was prepared to affix the seal instantaneously; that as Chancellor of the Exchequer he considered

himself a ministerial officer, and subject as much to an order from the Board of Treasury *as any common clerk*, in respect to his seal to grants; and, therefore, could not withhold it. I will venture to say this is so far from being the case, that the Chancellor of the Exchequer is one of the first legal officers in the kingdom; and that the very purpose of his being annexed to the Board of Treasury is, that he may be a judicial controul on the acts of that Board." Is not this an anticipation of the very thoughts and expressions of the case? The writer then quotes Maddox in his history of the Exchequer (page 580), "*As to the Chancellor of the Exchequer he seems to have been appointed to be a controul or check upon the treasurer.* The Chancellor of the Exchequer as a legal officer ranks next to the Lord High Chancellor. It is great condescension in him to act the part of a mere *indented clerk, &c. &c.*" Thus far the case and the Letter of the 16th; but Junius, in the other Letter of the 24th of February, relates the whole of the affair in question; and says, after remarking on the administration's having denied access to the records, having refused to hear counsel, &c. &c. "*that the property was the estate of a noble and most respectable person, derived from a King to whom we owe all our liberties, sixty-three years in undisputed possession, the subject of frequent*

settlements, and now actually a part of the jointure of the noble Duchess."

Surely no *indifferent* person, however instigated by politics, can be supposed to have possessed or to have urged this knowledge on the subject. If it were not his Grace who thus (speaking of *a* noble and most respectable person, and *the* noble Duchess,) communicates to the public the very circumstances of the treatment which his agents received at the Treasury board, and either declares or alludes to every particular of those transactions of which in his own character he could complain, the communication must have been made from information derived from himself or his very agents.

The other Letter of Mnemon is an echo to the first, and every passage has its parallel in the case. The letter signed Anti-van-Teague, we have already placed in its true light, as nothing less than a target to receive the arrows of Anti-Stuart. But while we are intent on proving his singular correctness in this cause, we shall soon see that he is rarely so in the particulars of almost any other.

To commence with Sir William Draper; I think that against this gentleman he proves not one of his assertions. With respect to Mr. Horne he was perpetually mistaken, and he does not even get out of the contest with him,

but with some lasting marks of disgrace. He considered Mr. Horne as having misrepresented the sentiments conveyed in his Letter to the Bill of Rights Society, admits his mistake, seems rather to suspect Wilkes, and afterwards reprints his suspicion of Mr. Horne. In the affair of sir J. Amherst he confuses dates, and apologizes to the public. He accuses the duke of Bedford of having been bribed by the French government; but can bring no proof whatever. He attacks the duke of Grafton on the subject of the Whittlebury oaks, and he is confuted by Philalethes. On the business of the Falkland Isles he is successfully opposed by Dr. Johnson. He is mistaken in his account of Mr. Edward Weston, and incorrect in attributing a certain pamphlet to him; even on general Gansell's affair he meets with much contradiction. Mr. Vaughan sends him his papers, but the sale of the place at Exeter to Mr. Hine was asserted by the friends of the duke of Grafton to have been effected without his Grace's privity. He desires Woodfall to find out for him, if he can, the day the duke of Bedford was flogged on the course at Litchfield by Mr. Heston Humphry, and he entreats Wilkes to procure for him the most exact account of the information against Eyre. — How different is all this from the accuracy of his great cause, where he neither confuses dates

nor facts, nor asserts any thing which is ever controverted—except the tears of Mr. Bradshaw, respecting which he had had the testimony of Mr. Allenby, in all probability. When Mr. Grey Cooper, on the 27th June, 1770, defends Mr. Bradshaw, or rather exculpates him from any imputation on account of the job contrived by Miss Polly Bradshaw, mark the answer of Junius;—“ *I received the circumstance of Mr. Bradshaw's having burst into tears—from an authority which I thought at least equal to Mr. Cooper's.*” Miss Bradshaw had sold a place to Mrs. Allenby for her husband, who during the transaction had been in Cumberland *assisting in the support of the Portland interest.* Mr. Allenby was examined on this subject before the Board of Treasury, and the affair would certainly come to the ears of the duke of Portland, as affecting one of his agents, however Junius might arrive at the knowledge of it. Junius says, however, to Mr. Bradshaw, (7th July) “ *I have not written from conjecture, nor can you be ignorant that I have drawn my intelligence from its first source, and not the common falsities of the day.*” Of Mr. Grey Cooper, Junius even speaks handsomely; and though his sentiments are coupled with a sarcasm on Mr. Bradshaw, he admits in answer to the first that he may be mistaken, and does willingly give up the *capital*

point of the tears. "I have a high opinion," he continues, "of Mr. Grey Cooper's integrity, but a much higher of Mr. Bradshaw's. I find the fair image of truth in the first; in the last I expect to meet an oracle." He then argues solely on Mr. Cooper's ignorance of the subject, but without any expressions even of disrespect, and concludes by an appeal to Mr. Bradshaw.

You may perhaps anticipate the cause of my detaining you so long on this affair, which is to shew you by way of parallel, that the writer also of Almon's *case of the duke of Portland*, though violent against the Treasury even to the last degree, professes a good opinion of Mr. Cooper, their secretary. "I will not omit," says the writer, (p. 32) "this opportunity of doing justice to Mr. Cooper's *candid and friendly conduct* throughout the course of this transaction. I would *make an apology personally* to him if I thought there wanted any, for the liberty I take in commenting upon his official letters, but every one will consider the sophistry, *reservations, and double dealing* which are unavoidable in so lame a cause, as merely official; and I will venture to say, that those who know him best will least think him capable of personally taking part in any transaction inconsistent with the punctiliois of a man of honour." Would an indifferent person, or any one merely employed to draw

up the case have used the terms candid and friendly?

LETTER XXIII.

MY LORD, 11 Feb. 1816.

I SHALL state what facts I have collected relative to the duke of Portland's public conduct during the years in which the Letters of Junius appeared, with some account of his political sentiments and career preceding and subsequent to that period. In this research, I own I have met with little success, and it has not been until within these few days that I have collected any documents on which to found an argument of sufficient force in proof of the palpable identity of Junius and his Grace. I have hitherto judged the case which seems to accord so well with the impression under which I first commenced this correspondence, from its internal and intrinsic evidence, resolved that if the sentiments of Junius, in addition to his pertinacity on one particular question, should not bear me out in my expectation as well as conjecture, that I would not pursue that case or correspondence any further, nor incur the risk of deceiving your Lordship or myself by any strained construction of the efforts of Junius, or the known conduct or opinions of the duke of Port-

land. But the difficulty or want of success to which I allude has not arisen from any discovery of incongruity in the two characters before us. They are perfectly consistent; nor have I in the course of numberless inquiries hitherto detected *a single fact, nor a circumstance of even the slightest importance that can militate for a moment against the conviction I have experienced from the very Letters of our author.* The want, or rather delay of success, has originated in a paucity of matter upon one point. The politics of his Grace are well known, but his speeches, his public professions of patriotism, his eloquence, and his triumphs,—these I have in vain sought for.

Your Lordship hints that his Grace possessed not a sufficiency of talent to have written the best Letters of Junius, whilst I hear and read on all hands and in many pamphlets and reviews that these letters possess small claims to any talent; that they consist in declamation without argument, furious invective without truth, flowing language and well turned periods calculated to captivate rather than convince. But I will admit all that his *admirers* have to *boast* in his favour, and then undertake to prove that his Grace of Portland possessed an abundance of talent fully equal to the production of them all. I could refer you to his friends, to those who

lived with him and knew him; and more particularly to the excellent and worthy Dr. Cyril Jackson, late dean of Christchurch, who knew and duly appreciated his Grace's talents. But we shall see that the particulars of his public life are a sufficient testimony that his political friends entertained no mean opinion of him.

All the biography which I have found of his Grace, especially respecting the æra in which we are interested, has been selected from magazines, memoirs, or public prints. In seeking the history of a public character, I have naturally applied to those sources which of right are the property of us all. At the same time I write to your Lordship under correction, and do not presume on any personal infallibility myself, nor engage to vindicate the accounts which I take from others.

The late Duke was born in 1738 *, received his education partly at home under a private tutor, and was entered at Christchurch, in Oxford, in 1753. His Grace's mother, lady Margaret Cavendish Harley, only daughter and heiress of Edward earl of Oxford, and grand-daughter of John Holles, duke of Newcastle, possessed a great taste for *virtù*, and expended an immense

* Monthly Magazine.—No. 193.

sum of money on the attainment of objects suitable to her finely cultivated taste. She formed a magnificent museum of curiosities at Bulstrode, among which was the “Portland vase,” formerly belonging to the Barberini family; and I have heard she possessed an excellent collection of gems, &c. &c.

The celebrated Mrs. Elizabeth Elstob was governess to her children;—a lady skilled in eight languages, whom Rowe Mores, the antiquary, called the “*indefessa comes*” of her brother’s studies; a female student of the University upon a genteel fortune, but pursuing too much the drug learning.

This lady engaged herself in the family of the Duchess in the year 1739, and died at Bulstrode in 1756, three years after the late Duke entered at Christchurch: therefore his Grace, even from his earliest infancy, must have had every opportunity in his domestic education of profiting by the talents of two extraordinary and accomplished females. In 1756 he recited publicly some English verses in such a manner as to attract notice. On the 1st of February, 1757, he took the degree of A. M.

After finishing his education at this learned seminary, his Grace, then lord Titchfield, went abroad, in company with his only brother, lord

Edward Bentinck, on their travels *. They made the grand tour, and after their return home became members of parliament: the marquis of Titchfield served for Weobly, in Herefordshire, and lord Edward, first for the city of Carlisle, and secondly for the county of Nottingham, of which his brother became lord lieutenant.

The Marquis sat but a few months as a commoner; for his father, the duke of Portland, died soon after he took his seat; and a new writ was issued for Weobly, on the 6th of June, 1762: so that he does not seem to have had an opportunity of *speaking*, as the house did not meet for the dispatch of business until the succeeding autumn. From the first moment that he was admitted to his seat among the peers, the young duke of Portland, then twenty-four years of age, took *an active part in the proceedings of the House, and THEN, AS WELL AS FOR MANY YEARS AFTER, seemed desirous both of earning and of deserving popularity.*

* The marquis of Titchfield being at Berlin, on his travels, was introduced to Frederick. Their conversation turned on the divisions in England and the unpopularity of the court. "If I were to sit on your throne for three days," said Frederick, "I would make you know what it is to have a king."—"Sire," replied the young nobleman, "your Majesty would not be able to keep your seat on the English throne three hours."—*Dodsley's Ann. Reg. for 1773, p. 68.*

“ His estate was not large, as it was encumbered with an immense jointure of £16000 per annum to his mother, the Dowager. This circumstance obliged him to have recourse early in life to expedients for raising money which encumbered his fortune, crippled his independence, and is supposed to have induced him suddenly and unexpectedly to alter the whole tenor of his political conduct; but this political change did not take place till many years after.”

In 1763 *his Grace gave an early presage of his patriotism*, by a strenuous opposition to the Cyder Bill; a measure engendered during the earl of Bute’s administration, and brought forward by sir Francis Dashwood, then chancellor of the Exchequer. He afterwards entered his protest against that measure, which was too unpopular to be persevered in.

The ambitious views of lord Bute had now led him to dismiss from the administration all those whose principles and influence he apprehended hostile to himself. The duke of Newcastle had been *advised* to resign, and the duke of Devonshire had been struck off the list of privy counsellors*. To the first his Grace of Portland was already related in descent, and to the family of the second he became four years after allied by

marrying lady Dorothy Cavendish, his *daughter*. In the year 1763, I find the subject of our present inquiry leagued with the *members of the opposition* to condemn the peace*; who feeling their own insignificance, and perceiving who were highest in esteem with the public, had solicited an union with those who had resigned on account of the late measures; their established reputation and unshaken popularity being convincing proofs that it would be folly to attempt an opposition without the sanction of their names at the head of it.

The principal persons consented to a coalition, and frequently dined together at each other's houses. The first dinner was given by the duke of Newcastle, about the middle of March, 1763. At this were present the dukes of Devonshire, Bolton, and Portland; marquis of Rockingham; earls Temple, Cornwallis, Albemarle, Ashburnham, Hardwicke, Besborough; the lords Spencer, Sondes, Grantham, and Villiers; *Mr. Pitt*, *Mr. Grenville*, and sir George Savile.

On the *third* reading of the Cyder Bill, there was *another* division, and a *second* protest: the following were the lords in the minority—dukes of *Grafton*, *Bolton*, *Devonshire*, *Newcastle*, and *Portland*; marquis of *Rockingham*; earls of

* History of the late Minority, p. 91.

Suffolk, Plymouth, Oxford, Ferrers, Dartmouth, Bristol, Ashburnham, Temple, Cornwallis, Hardwicke, and Fauconberg. But to return to our biography.—

According to the custom pursued by men of rank and influence in this country to attach themselves to a party, as the only sure and infallible way of either attaining or preserving political and parliamentary consequence,—his Grace of Portland connected himself with the marquis of Rockingham; a name once celebrated and still venerable in the annals of this country. *“He joined with that worthy nobleman in talking down and writing down two different administrations; for which last purpose there was a joint stock purse collected and employed.”*

The first of these administrations was that of the earl of Bute; the second of Mr. George Grenville, who took the two offices of First Lord of the Treasury and Chancellor of the Exchequer. But the plan of administration and the measures of government continued as laid down by the late minister. The opposition remained in the same situation, and affirmed that the new ministry were no other than substitutes of the favourite, who had only retired to a place of safety and secrecy, in order still to govern, though by other hands.

The fact of the duke of Portland having

written down this administration, in which Mr. G. Grenville held the two offices above mentioned, whilst, according to Mr. Woodfall, Junius always admired and approved of that gentleman either in or out of office, may seem, at first sight, to start a glaring objection to the similarity and consistency of the two characters; therefore I will answer the objection at once, premising that I have found no evidence in Junius's Letters, to authorize the inference of Mr. Woodfall. Consistency is not an indispensable attribute of Junius: we have seen that he expresses, at different periods, different and almost opposite sentiments of lords Camden, Chatham, Granby, C. Townshend, Wilkes, &c. But to the answer.

The administration of Mr. G. Grenville, called also the administration of the duke of Bedford, included with those persons lords North, Granby, Hillsborough, Northington, sir Gilbert Elliot, lord Barrington, Mr. Rigby, and the duke of Rutland, who still continued Master of the Horse, and held that appointment under the Rockingham administration, with which he went out, while his relative, the marquis of Granby, preserved his place through both administrations, and then united himself, first with lord Chatham, and afterwards with the duke of Grafton. Hence may be divined (*en passant*).

the reason why Junius is so tender of the duke of Rutland's reputation, as we have formerly observed, whilst he is less considerate, if not a little inveterate, respecting that of lord Granby ; and here, I think, your Lordship may see at least that Junius and his Grace of Portland entertained the same sentiments towards those members of administration, whom I have enumerated, both under the duke of Bedford, in 1763, and afterwards under his Grace of Grafton, in 1768 and 1769. But what shall we say of the opposite opinions entertained by them respecting Mr. G. Grenville ?

“ Mr. G. Grenville, younger brother of lord Temple, and brother-in-law to lord Chatham, was a political *élève* of his maternal uncle, lord Cobham. *He first attached himself to the Tory party* in consequence of marrying the daughter of sir W. Wyndham, the confidential friend of Bolingbroke, and father to lord Egremont, and was made one of the Secretaries of State in 1762, when lord Bute was advanced to the Treasury ; he exchanged places with lord Halifax previous to the peace. On the 8th of April, 1763, lord Bute resigned, and Mr. Grenville accepted the two offices already mentioned, the administration being still under the influence of the favourite. *But Mr. Grenville became disgusted with lord Bute, and then firmly attached himself to lord*

Rockingham, to whom he resigned the Treasury in 1765, and ever after remained a staunch and determined Whig, not entering into power with any of the successive administrations, lord Chat-ham's, the duke of Grafton's, or lord North's.

Thus you will see, my Lord, that the very circumstance of Mr. Grenville's abandoning the favourite and the Tories, and uniting himself with the Rockingham party, in whose administration the duke of Portland held the office of Lord Chamberlain, and to whose party, during the period occupied by Junius's Letters, his Grace was wholly devoted, accounts readily for the good opinion professed by Junius in his favour, whatever disposition the duke of Portland might have formerly entertained to *write him down*, whilst he upheld the favourite and the Tories*. Moreover, he voted in favour of the *nullum tempus* bill. I shall now return to the Duke's memoirs.

The Rockingham administration being turned out in a twelvemonth, the duke of Portland forgot for a while his disappointment in the pleas-

* The leading principle of Mr. Grenville's politics, to which Junius was attached, was the taxation of America. Mr. Grenville took no place in the Rockingham administration, though he had joined it; and that administration repealed the Stamp Act. What sentiments did the duke of Portland profess as to this measure?

ing scenes of domestic comfort. He married lady Dorothy Cavendish on the 8th of November, 1766, and, by this union, became connected with another Whig family, which, like his own, had ever been zealous for the principles of the Revolution, which it still cherished under a new dynasty.

“From this period Burlington House in Piccadilly, became his town residence, and it was there where all the plans for abating all the alarming influence of the Crown, curbing the avowed arrogance of several successive ministers, giving strength, zeal, and efficiency, to POPULAR SENTIMENT, were hatched, reared, and brought to maturity, up to the period of the French revolution.”

The subject of this memoir being well aware of the advantages supposed to result from parliamentary influence, and having property in Cumberland, determined to support two of his friends as members for the county, the late H. Curwen, esq. and H. Fletcher, esq: an East India Director, and afterwards a Baronet, both possessing large property there. This gave great umbrage to sir James Lowther, afterwards earl of Lonsdale, who, to great opulence, united a daring spirit, and, in addition to both, was son-in-law of the earl of Bute. A long, violent, and expensive contest accordingly took place, and, although

the Baronet found means to be returned, yet he was declared unduly elected by a committee of the House of Commons, and the two other candidates were left, for that parliament at least, in the quiet possession of their seats.

While these transactions were meditating in the North, a storm was preparing in the South to crush the fortunes, darken the expectations, and put an end to the influence of the hardy peer who had thus presumed to counteract the views of the favourite, and create an influence in direct opposition to his family. By way of effectually preventing the two friends of the Duke from reaping the benefit of his patronage, it was resolved to annihilate by one single sweeping stroke of authority the power and interest of the family of Portland in the county of Cumberland. Accordingly, in the month of December, 1767, a grant was made in due form by the Lords of the Treasury to sir James Lowther, of the extensive and valuable estate known by the name of Inglewood Forest, being part of and appurtenant to the manor of Penrith in the county abovementioned. To this was added the soccage of Carlisle, granted by king William* to

* Shebbeare, in his pamphlet, says, that the manor of Carlisle had been a purchase for life of the last surviving lessee, to whom it had been granted by Catherine, Queen Dowager of Charles

his favourite, the first earl of Portland; which, whether worthily bestowed or not, had hitherto been considered as an inheritance, descending regularly from father to son through several generations, without hindrance, molestation, or objection. Every thing on this occasion was conducted with all the due forms of office. Sir James Lowther by memorial prayed a lease of the lands in question, and on a reference to the surveyor-general, that gentleman, though no lawyer, decided that the premises were not comprised in the grant from king William to the earl of Portland, and concluded by recommending the lease demanded at a reserved rent of fifty pounds for the soccage of Carlisle, and thirteen shillings and four-pence for the Forest.

Your Lordship is already acquainted with the particulars of this affair, therefore I need not repeat any more of it; I shall merely add that at the trial in November, 1771, lord Rosslyn, then Mr. Wedderburne, was counsel for the Crown, and Mr. Thurlow*, afterwards baron

Charles the Second, and consequently, after the death of that lessee, the Portlands had held it illegally from the Crown.

* Lord Thurlow may be supposed *to have guessed* at the man who had defended the cause, which he, as a barrister, had advocated. A Mr. * * *, conversing with his Lordship on the subject of Junius, without however having entertained

the

Thurlow, and Lord Chancellor, led for the duke of Portland.

“During the whole of the American contest, the Duke was eminently consistent, exhibiting on all occasions a degree of firmness, zeal and resolution, that obtained for him the confidence of the opposition and the love of the people.”

At the change of ministry in 1782, when the Rockingham party again came into power, the duke of Portland was constituted lord-lieutenant of Ireland, whither he took general Fitzpatrick for his secretary. The new administration continued by liberal and manly instructions to insure popularity to his mission, he conceded freely what might have been demanded forcibly, and accordingly one of his first acts was the independence of Ireland, or rather complete emancipation from the power and controul of a British parliament. He was perhaps the only lord-lieutenant with whom the Irish people were so completely pleased as to be eager to drag him to the parliament-house, which they were only

the most remote idea of his being the duke of Portland, asked lord Thurlow whether he had ever suspected any person,—whether he had ever formed any opinion of the author of Junius’s Letters?—“Yes,” replied his Lordship, “I have had my opinions.”—As this speech was delivered in a serious and rather solemn manner, Mr. * * * did not venture his curiosity any farther. This was at Mr. Macnamara’s table.

prevented from doing by the intervention of the horse-guards. In the mean time an event occurred in this country which produced his speedy return at the end of three months *: this was the lamented death of lord Rockingham, whose talents and virtues were of the first order, so that all conceded to him the first place. But no sooner was the nation deprived of this great statesman by death, than a most contemptible and interested struggle took place for the nomination of his successor. The candidates set up by their respective friends were the marquis of Lansdowne (lord Shelburne) and the *duke of Portland*, who was supported by Mr. Charles Fox, and recommended to the Sovereign by the majority of the cabinet. But his Majesty was pleased to select lord Shelburne, upon which Mr. Fox resigned the seals as secretary for the Northern department †, lord John Cavendish his office as Chancellor of the Exchequer, and the duke of Portland his government of Ireland, wherein he was succeeded by the earl Temple, eldest son of the late George Grenville.

On the 5th of April, 1783, the duke of Portland was appointed First Lord of the Treasury, and resigned on the 17th of December follow-

* July, 1, 1782.

† September, 15, 1782.

ing: meanwhile the cabinet had been so divided by the lords North, Carlisle, and Stormont being placed in opposition to lord Keppel, lord John Cavendish and Mr. Fox on all great constitutional questions, that nothing could be effected either honourable to themselves or advantageous to the country. The public confidence was lost, in consequence of that strange coalition of Whigs and Tories, of men who had vilified and reproached each other for years.

On the 18th of November, 1783, Mr. Fox moved for leave to bring in the famous East India Bill, which, after passing the Commons, was rejected in the House of Lords. The duke of Portland, who now as First Lord of the Treasury, had concerted the measure, had formerly, in 1773, protested in company with the Rockingham party against a bill of a somewhat similar tendency. This event brought Mr. Pitt on the stage as a principal actor. Lord Temple was employed to dismiss the present administration, and the House of Commons was dissolved on the 25th of March, 1784.

But the candour and veracity of the Duke remained unimpeached, and the King, by a message to his Grace, desired him to arrange with Mr. Pitt a new plan of administration on fair and equal terms. The Duke, as a preliminary, requested before the interview to be in-

formed in what sense he was to understand these words: but Mr. Pitt declining any previous explanation, the negotiation terminated. On this occasion his Grace is asserted to have said that he would never sit in the same cabinet with this youthful statesman. Mr. Fox had formerly expressed the same determination respecting Lord North.

Disappointed and deceived, the duke of Portland now attempted to regain his tarnished popularity, and strove to restore his friends after a six years' political martyrdom to their seats in the House of Commons. Mr. Pitt endeavoured to render them odious to their constituents. But not to dwell on the latter part of the duke of Portland's life, which is less important for our purpose, I shall briefly state that upon the illness of his Majesty, in 1788, the Prince of Wales manifested a preference for the politics of Mr. Fox, and it was expected that a new administration would be formed, with the Duke at its head. A committee of twenty-one persons in each house was appointed to examine and report the sentiments of the royal physicians, and his Grace was one of the lords chosen on that occasion, and also summoned as a privy councillor to hear and consider that report when delivered.

It has been said, that during a debate in the

House of Commons, when one of his Grace's near relatives sent a note to Burlington House for instructions, in consequence of the sudden hostility of Fox and Burke, which was first publicly declared that evening, the reply was, "Follow Fox;" nevertheless the Duke, on the 5th of August, 1792, succeeded the earl of Guildford, as Chancellor of the University of Oxford, without so much as a struggle, although the influence of the minister was supposed to be very great among the members of that body. In the course of a short time what was only suspicion became certainty, for lord Loughborough having accepted the seals in 1793, the Duke, in July, 1794, was gazetted as third Secretary of State; an office, which he himself had, fourteen years before, strenuously laboured to abolish, as superfluous in itself, and affording means of corrupt influence*.

From this time the conduct of his Grace must in some measure be confounded with that of his

* Belsham.—Junius also disapproved of this office:—see the 12th Misc. Letter, 16th of February, 1768.—"I shall take another opportunity to enquire into the legality of the appointment of a third Secretary of State, at present let me be permitted to rouse the attention of the public to a later, *and a still more flagrant stretch of prerogative*. A prostitution or corruption of old offices may be as fatal to the constitution as the *illegal creation of new ones*."

old enemy, Mr. Pitt ; and no sooner was this political alliance made known than he lost all his popularity.

Notwithstanding this his influence was become so extensive as to occasion a multitude of applications for preferment, and not a few of a very suspicious, unusual, and equivocal kind. Under his name, but without his authority or knowledge, a multitude of places were publicly and impudently offered for sale ; but the parties were afterwards prosecuted and punished. As his Grace's finances were supposed to be rather deranged, he himself was frequently pestered with applications of all sorts for patronage civil and ecclesiastical ; and corrupt offers were made in a most barefaced and disgusting manner to obtain his protection. On these occasions he displayed great and perhaps blameable moderation.

The Marylebone estate, which his Grace inherited from the Newcastle and Oxford families, was held under a lease from the Crown ; which lease falling in at the time that the Duke formed his political alliance with the then minister, Mr. Pitt, occasioned some insinuations to his prejudice, and caused perhaps the remark of lord Lansdown in the House of Lords,—“that it was to be hoped the lease of the Marylebone estate had not been renewed.” This innuendo might have originated in ancient rivalry between the

Duke and the Marquis. However, the lease *was renewed*, and his Grace received also a blue ribbon.

In 1801, his Grace finding his health decline, resigned the office of Secretary of State, and acted as President of the Council until 1805. On the formation of the Fox and Grenville administration, his Grace thought fit to withdraw, as he had not for some time been on terms of intimacy with Mr. Fox; but after that gentleman's death he again, in 1807, took the office of First Lord of the Treasury, but being unable to attend, the business was conducted by Mr. Perceval in one house and lord Liverpool in the other. He retired altogether in 1809, and died in a few weeks after, in the seventy-second year of his age.

As a private man, the early part of this nobleman's life was peculiarly amiable. During that period he supported his rank with a very moderate fortune. He had never spoken in the Lower House, and *on the great question of the Regency, in 1788, though intimately connected with the result, he does not appear to have spoken once.* On Mr. Hastings's trial, though politically united with Mr. Burke, he did not vote on any of the charges. "Although never considered an orator, yet what he said was listened to as the suggestions of an honest man, springing directly from the heart. He was but little

adapted to business; YET IT IS WELL KNOWN THAT NO GENTLEMAN IN THE KINGDOM COULD WRITE A BETTER LETTER." After his coalition with Mr. Pitt, his equanimity at times forsook him, and he ordered a distinguished commoner to be excluded from inspecting any of his Majesty's jails, on account of the denunciation of certain supposed abuses.

As the visible head of the opposition for a long series of years, frequent calls were doubtless made on his purse. The contest with sir James Lowther was to him an enormous expense. These, with other claims on his generosity, kept him poor.

LETTER XXIV.

MY LORD,

16 February, 1816.

I THINK your Lordship will admit, after the perusal of the brief account which I have given you of the duke of Portland's public character, that his friends, in conceding to him the first offices of the state, implied a sufficient sense of his talents at least for our purpose: therefore I shall dwell no longer on a subject that requires, in my opinion, no additional confirmation. As a statesman, we must regard his political changes as we should those of almost all other statesmen. These changes are not material to our inquiry: it is enough to have shewn that the public and

private history of the duke of Portland were in no one particular at variance with the principles professed by Junius. On the contrary, there is scarce a question, even down to Junius's reprobating the office of third Secretary of State, which was not supported or opposed equally, and as strenuously though by different means by both characters. Junius *was the writer of the people*, the Duke laboured to *earn and deserve popularity*. The first associated his great cause, the Cumberland business, with the *interests and liberties of the people*: *he endeavoured to make it theirs*. The Duke throughout the whole affair held his peace. No selfish thought obtruded itself on the nation; he left his cause to his friends and the public.—Junius carried his point, and the Duke ejected sir James Lowther: his Grace resumed possession of his estate, and Junius wrote no more *.

May we not here apply an expression of his

* The decision in the Duke's favour was given on the 22d of November, 1771,—the Duke plaintiff, the Crown defendant. Sir J. Lowther appealed from the decision. The cause was again tried at the Summer Assizes for Carlisle, 1776,—sir James plaintiff, and the Duke defendant: verdict for the Duke. A motion was made for a new trial, and the Barons of the Exchequer gave their opinion in favour of the Duke, on the 11th of February, 1777.—Here the business ended.—Thus after the first decision five years elapsed before the duke of Portland encountered the new trial, and indeed after the first decision, he seems to have carried all before him.

own to sir W. Draper. “ The plain evidence of facts is superior to all declarations. *Before you were appointed, &c. &c.*—your complaints were a distress to government;—from that moment you were silent. The conclusion is inevitable.”

I can no where discover any proofs of the Duke’s oratorical powers; but as a *letter-writer* his biographer has observed that no gentleman in England could surpass him. I think few persons have had greater practice or more experience in that style of composition, or have brought it to greater perfection than our author.

Junius first thought to desist from using this signature on the 21st July, 1769. He had then published *fifty-seven miscellaneous Letters*, and nineteen under the signature which he now thought too good for “ a set of brutes whose writings were too dull to furnish him even with the materials of contention:” but he meant to have ceased writing altogether on the 8th November, 1771, as appears from his private Letter to Woodfall of that date, a fortnight before the decision of the cause in Westminster Hall. And, supposing him really to have entertained that intention, it is worth while to remember here that at this date he had brought forward his charge respecting the Cumberland estate seventeen

times *directly*; that is to say, he had so often specified the whole, or parts, or facts applying to it. Besides which he had indirectly alluded to it, mentioned it as if by accident, or refreshed the minds of his readers with some expression that originated in, and belonged to it, in no less than twenty-five other Letters: nevertheless, when the decision had been given in favour of the Duke, on the 22d, Junius, determined to have a final blow at his enemy the duke of Grafton, affects to say that David Garrick had literally forced him to break his resolution of writing no more! David Garrick! who had told Mr. Ramus, who had told the King, that Junius would not write again, thus forced Junius to break his resolution, and what was the consequence?—He published the sixty-seventh Letter, of the 28th of November, which I have already denominated the triumphant Letter; a production written solely on occasion of the Duke's success; wherein he calls the conduct of the Treasury a signal instance of tyranny and treachery, sir J. Lowther an infamous informer, and either the Baronet or the duke of Grafton an impudent robber dragged to the public gibbet. These rancorous epithets then, we are requested to believe, emanated from a cause of the first importance: *David Garrick produced all this*, rousing the slumbering vengeance of

the mighty patriot by his intimation to Mr. Ramus, and for this his fury bursts forth again :

Tigris ut aspera
Gætulusve Leo

Might it not have been politic to prepare both the printer and the public for a suspension or conclusion of Junius's writings, before the event of the trial transpired? Had the verdict been given against the Duke, his cause was too well known, having been so often before the public, that Junius could scarcely have attempted any thing farther in support or defence of it. Calculating perhaps on the decision which did take place, was it not also politic to desist beforehand? *It was necessary to deceive both printer and public; and, to my mind,*

“Astuta ingenuum *vulpes imitata leonem,*”

at least with respect to *Garrick*.

You may ask, why Junius *then found a pretext* for writing again.

I can only account for it, by concluding that he was the duke of Portland. Who can support success? and where is that deeply-injured bosom, to which revenge is tasteless?

LETTER XXV.

MY LORD,

18 February, 1816.

WE have seen, long since, that our hero, Junius, makes no scruple of attributing whatever is written in defence of his opponents, to those opponents themselves, who are on a par with him in that respect, and tax him in turn for supporting himself: how justly we must both well know, thanks to Mr. Woodfall for the publication of the *Miscellaneous and Private Letters*. I should wonder that a suspicion had not originated from his defence of the Cumberland cause, if it were not, that in fighting it through his *Miscellaneous Letters*, he employed seventeen different signatures, besides occasionally writing without any; and that, when selecting the Letters for republication, *he avoided taking notice of any of those above-mentioned*, though he altered the signatures of one or two on other subjects, and gave them again to the world with the name of Philo-Junius. Even the Letters relative to the transaction between *Miss Bradshaw* and *Mrs. Allenby*, though written in June and July 1770, that is eighteen months after he had adopted the general signature of Junius, and in which he expresses such knowledge of the

Duke's affairs, were printed in the Public Advertiser with no other signature than that of Q. in the Corner, and were *omitted* in the re-publication altogether.

But with regard to his opponents: first, lord Hillsborough is identified by Junius with Cleophas. "In your Letter, signed Cleophas," says our author, "you are pleased to assume the character of a person half informed. We understand the use of this expedient. You avail yourself of every thing that can be said by a third person, *without being obliged to abide by the apology*. My Lord, this is a paltry art, unworthy of your station. You can repeat every article of your own Letter to sir Jeffery Amherst, &c." Cleophas denies the charge; and Junius replies, that "it is indifferent to the public, whether the Letters signed Cleophas are written by his Lordship, or *under his immediate direction*."

Secondly, Judge Blackstone is considered by Junius as the author of a certain pamphlet, in which his late conduct is defended. "The personal interest," says he, "the personal resentments, and, above all, that wounded spirit, unaccustomed to reproach, and, I hope, not frequently conscious of deserving it, are signals *which betray the author to us as plainly as if your name were in the title-page*..... You ap-

peal to the public in defence of your reputation. We hold it, Sir, that an injury offered to an individual is interesting to society, &c.” It was at last admitted by the friends of Judge Blackstone, that he had written the pamphlet.

Thirdly, when lord Barrington is attacked by Junius, a writer defends him under the signature of Novalis. “ You very justly,” says our author immediately, “ thought it unnecessary to sign your name to this last elegant performance. Novalis answers as well as Barrington. We know you by *your style.*”

In spite of our author’s extensive information, I know not what reason he had to suspect these three persons of writing in their own causes, except from the internal evidence the causes contained to that effect.

Junius hesitates not a moment to *insinuate who the writers were;* and yet Junius has written near fifty times in support of the duke of Portland, and made his cause the theme and ground-work of all his Letters, without fearing a similar insinuation! I shall infer (with Junius in the case of the duke of Bedford,) “ that the conduct of this *writer* is an internal and convincing evidence against himself.”

Junius is occasionally so inconsistent in his assertions and promises, that we can take none of them for truth, except they will stand the test

of inquiry. In his third private Letter he desires Woodfall to tell him candidly, whether he knows or suspects him; and, in the sixth, he says, "Whether you have guessed well or ill, must be left to our future acquaintance." In his tenth, he says, that it is not in the nature of things that *the Cavendishes (though there be no end of the family)* that Mr. Woodfall, or any body else, should ever know him, unless he made himself known; and yet, in the eighth, he had said, "The truth is, there are people about me whom I would wish not to contradict, and who had rather see Junius in the papers, ever so improperly, than not at all. In the seventeenth he doubts much whether he shall ever have the pleasure of knowing Mr. Woodfall: and in No. 41 he promises that Mr. Woodfall shall know him at a proper time, if he will act honourably by him: and, after all, in his Dedication to the English people, he tells them he is the sole depositary of his secret, and it shall perish with him. On one occasion, he says, the greater part of his property has been invested in the funds (yet the landed interest is dear to him); on a second he is a soldier*; on a third he is *not* a soldier†. He defends the citizens on the 10th of March, 1770; and opposes alderman

* Letter to lord Barrington.

† MS. Letter, XLIV.

Nash, as “a stranger.” He writes to the *people*, and confesses thrice *a contempt for patriots*. He says, in a miscellaneous Letter, that he *knows nothing of Junius*; and denies any acquaintance even with Mr. Grenville. Many of these are, doubtless, voluntary contradictions; others accidental: his motives for concealment induced him to urge any pretence that was at hand; but the knowledge of his own contrivances has been the cause of his suspecting the source of his opponents’ defence.

LETTER XXVI.

20 Feb. 1816.

HAVING shewn, I think satisfactorily, that the Portland cause was the paramount object of Junius’s Letters, and that the person who wrote them must have had an intimate knowledge of his Grace’s affairs, I think the collateral testimony, discernible in all those Letters, indicates that Junius was the Duke himself. Who can peruse these brilliant lucubrations without perceiving, in almost every page, the haughty spirit of the aristocrat? The popular Junius still is no republican; and though he affects, with the Americans, to despise the absurd pageantry of a King, and the supercilious hypocrisy of a

Bishop," yet his wrath is awakened by the indecent conduct of Mr. Wilkes, and the infatuation of a mob insulting the Monarch, and trampling on the laws and customs that guard the rights of wealth and rank. Junius is never more in earnest than in writing on such an occasion. When Wilkes, after his outlawry, returned to England, and offered himself as candidate, first for the metropolis, and then for the county, our writer observes, that "he is disappointed in the first attempt, notwithstanding *all the efforts and violence of the rabble*; but he has still the confidence to offer himself to the freeholders of Middlesex, as a proper *person to represent a county, in which he has not a single foot of land*. The circumstances which attended the facts of Mr. Wilkes's case are no less atrocious. We saw the other candidates, gentlemen of *large fortune*, and of the most respectable characters, dragged from their carriages, and hardly escaping with life out of the hands of Mr. Wilkes's friends and companions. I need not enlarge on this detestable scene; there is hardly a family in London or Westminster, which has not reason to remember the day of Mr. Wilkes's election. The metropolis of the kingdom, the seat of justice, and the residence of the Sovereign, and of the royal family, was left, for two nights together, at the mercy of *a licentious and drunken rabble*. Who

can hear, without grief and resentment, that even in some of the royal palaces, to avoid worse consequences, illuminations were made, to celebrate the success of a ——, who, after heap- ing every possible insult on the person of his Sovereign, returns in triumph to brave and outrage him again, even in the place of his immediate residence. I am persuaded there is not a man *of property*, sense, or honour, in this country, who is not ready, heart and hand, to support the Constitution, and to defend the Sovereign."

An annual parliament, which, to a democrat with no other possession than talents and ambition, would doubtless have been the most acceptable form of government, is nevertheless no way agreeable to the man of rank and importance. Junius is convinced that the English nation ought to insist on a triennial, and banish the idea of an annual parliament. He will not consent to *abolish impressment*; and as to cutting away the rotten boroughs, "I am as much offended (says he) as any man at seeing so many of them under the direct influence of the Crown, or at the disposal of private persons, yet I own I have both doubts and apprehensions in regard to the remedy you propose. I shall be charged perhaps with an unusual want of political intrepidity, when I honestly confess to you, that I am startled at the idea of so extensive an amputa-

tion. When you propose to cut away the rotten parts, can you tell us what parts are perfectly sound?" Any man who looked forward to power would be unwilling to strip of its pinions that prerogative on which he hoped to soar; and he will not encourage Mr. Wilkes in any insults towards the Sovereign, nor allow him as Sheriff to send a message to the Lord Mayor (more spirited than judicious), requesting leave to prefer the administration of justice at the Old Bailey, to the vain parade on the anniversary of his Majesty's accession." Junius calls it a direct outrage; says it will give the courtiers an advantage, offend the Whigs, and be condemned by all parties.

But the Aristocratical disposition of our author evinces itself more directly in his fifty-ninth Letter, when he says, "he can more readily admire the liberal spirit and integrity, than the sound judgment of any man who prefers a republican form of government in this, or any other empire of equal extent, to a monarchy so qualified and limited as ours. He is convinced it is neither the wisest in theory, nor practicable in this country; and hopes the English constitution will for ever preserve its monarchical form. He thinks the present habit of the political body the very reverse of what it ought to be, that *the form of the Constitution leans rather more than enough*

to the popular branch, while, in effect, the manners of the people, of those at least who are likely to take a lead in the country, incline too generally to a dependence on the Crown. That the real friends of arbitrary power combine the facts, and are not inconsistent with their principles, when they strenuously support the unwarrantable privileges assumed by the House of *Commons*.” The Sovereign has too much influence, and the Commons assume too many privileges. Where would Junius vest the power of the state? In the Lords?

Notwithstanding what Junius, under the signature of C. had formerly said of Mr. Wilkes, in his private correspondence with that gentleman, he tells him, that “whatever imaginary views may be ascribed to the author, it must always make part of Junius’s plan to support Mr. Wilkes while he makes common cause with *the people*. I would engage your favourable attention to what I am going to say to you, and I intreat you not to be too hasty in concluding from the apparent tendency of this letter to any possible *interest or connexion of my own**. It is a very common mistake in judgment, and a very dangerous one in conduct, first to look for nothing in the argument proposed to us, but the motive of the man who uses it, and then to measure the truth

* Whence is this perpetual anxiety to appear disinterested?

of his argument by the motive we have assigned to him. With regard to me, sir, any refinement in this way would assuredly mislead you ; and though I do not disclaim *the idea of some personal views to future honour and advantage, (you would not believe me if I did,) yet can I truly affirm, that neither are they little in themselves, nor can they by any possible conjecture be collected from my writings."*

Here Junius has a mind to confuse Mr. Wilkes, as he has always endeavoured to puzzle every one else on the subject of his own identity, but still he is consistent in his pursuit of power ; and though he makes a business of supporting Mr. Wilkes and the popular cause, it is evident his object is to serve himself, though by their means.

The spirit of the great man is visible through all his writings, no less than in the instance already adduced respecting Mr. Wilkes and the mob. Your Lordship will recollect how contemptuously he speaks of the Scotch on all occasions ; and with what arrogance he confounds them all, as a set of people incapable of sincerity or any good quality whatever. No one, but a man of rank, accustomed to the reverence of inferiors, would have employed the expressions of asperity and disdain with which Junius is ever attended. " Who (he says) is lord North ? The

son of a poor unknown Earl, who four years ago was a needy commissioner of the treasury for the benefit of a subsistence, and would have accepted a commission of hackney coaches upon the same terms.” Lord Chatham is honoured with half a dozen base or ridiculous appellations: one among them is, a miserable, decrepid, worn out old man; and when lord Bute is associated with him, “ May that union (says Junius), honourable as it is, subsist for ever! May they continue to smell at one thistle, and not be separated even in death.” Lord Boutetort is “ one of your cringing, bowing, fawning, sword-bearing brother courtiers;” and lord Rochfort is “ a mute in the house of lords, and *destitute of fortune, interest, and connexions.*”

It is unnecessary to repeat his scornful allusions to all the noblemen whose politics displeased him: the expressions must be fresh in your memory; nor shall I dwell on the haughty violence with which he repels the attacks of those beneath him: a few quotations will suffice. In Private Letter, No. 12, speaking of some one who had written with a view to entrap him, as he thinks, “ I should like (he says) to know what the fool means.” “ Modestus (in Miscel. Letter 64) is not the first blockhead who has plumed himself upon an imaginary triumph over Junius.” Of lord Mansfield he says, “ We have

got the rascal down—let us strangle him.”—“ Scævola is a blockhead and a fool, the wretchedest of all fools, and a dirty knave ;” “ Swinney, a wretched and dangerous fool ;” “ Garrick, a rascal, and a vagabond ;” “ the Old Correspondent, a pert youth, who makes free with Junius.” I think his letter to the Actor is perhaps the strongest specimen of Aristocratical indignation. “ I am very exactly informed (he says) of your impertinent inquiries and of the information you so busily sent to Richmond, and with what triumph and exultation it was received : I knew every particular of it next day. *Now mark me, vagabond*—keep to your pantomimes, or be assured you shall hear of it ! meddle no more, thou busy informer ! It is in my power to make you curse the hour in which you *dared* to interfere with Junius.”

The Lord Mayor “ is an abandoned prostituted ideot.” How does he ridicule Mr. Chamier, whom he styles “ the little broker from Jonathan’s.” Mr. Horne is not treated even as a gentleman, though as a writer he is certainly Junius’s equal. The duke of Grafton’s *ancestor* is called “ one of king Charles’s bastards.” This last nobleman falls under the high displeasure of Junius for appearing at the Opera with miss Parsons. The moral and admirable principles of the duke of Portland, then but lately married

to a young lady of the first rank and character, would certainly have led him to construe such an action into a gross insult on the virtuous feelings of the community; and no one, I think, could have witnessed such an exhibition with greater indignation than the duke of Portland, particularly as his Grace of Grafton was then conspicuous both in rank and power.

LETTER XXVII.

24 Feb. 1816.

WITH respect to the age of Junius, I see Mr. Woodfall has fancied him to be fifty, and chiefly because he once says, that "after a *long experience* of the world, he never knew a rogue that was not unhappy." Now, after the various contradictions of which we have but lately proved him guilty, I do not conceive that any particular stress should be laid on this expression, so as to authorize Mr. Woodfall's conclusion, against other more important evidence arising out of his works. Many a person at thirty-five years of age thinks he has had a long experience, and has seen a great deal of mankind. Nor can I imagine that Junius, except in one instance, possessed the caution which belongs to grey hairs. The exception to which I allude is, the circumstance of his having avoided

detection ; for which I am, however, inclined to think he was indebted chiefly to the honourable conduct of Mr. Woodfall.

At the time Junius talked of long expérience of the world, his Grace of Portland was thirty-three years old : an age I own I should have supposed best calculated for the ardour, the enterprise and the perseverance of such a writer as our author.

I would not argue much from his Letter to Junia, replete with indelicate allusions, of which I have expressed an opinion already, though I still feel unwilling to reckon it among the productions of a moral writer approaching the winter of life ; but read his Letter signed Correggio, examine the grand council upon the affairs of Ireland, his Letters to lord Barrington, the scenes between Waddlewell and the Lieutenant-general, the King and lord Barrington, lord Barrington and Waddlewell. Is this levity characteristic of age ? does the fire of his vengeance, when kindled by the mention of the Cumberland grant, of the *Nullum Tempus* bill, of lord Chatham's dereliction, of lord Mansfield's doctrines, of the duke of Grafton's very name, emanate from an head silvered over by age, or from an heart cooled by the frosts of fifty winters ? Oh no ! I remember no one thought or expression throughout all his writings, that is not rather the pro-

perty of a man in the vigour of life, in the maturity of youth, if I may be allowed such a phrase, rising into a knowledge of his mental talents, and feeling confidence enough to exert them from no unjust self-approbation *.

The motives for Junius's writing on so many other subjects than that which we have called his own, may be explained by a reference to some of his Letters to Wilkes. These are the passages to which I allude. “ *I affirm, without a doubt, that political prudence, the benefit of the cause, your public reputation, and personal interest, do all equally demand this conduct of you. I do not deny that a stroke like this is above the level of vulgar policy, or that if you were a much less considerable man than you are, it would not suit you.* But you will recollect, Sir, *that the public opinion of you rises every day; and that you must enlarge your plan as you proceed, since you have every day a new acquisition of credit to maintain.* ”

“ *To make our passions subservient to you, you must command your own.* The man who for any personal indulgence whatsoever, can sacrifice a great purpose to a little one, is not qualified for the management of great affairs.” In

* The Writer of No. 65, in the Misc. Letters, calls Junius a young gentleman, with that fire and spirit which accompanies green years.

See W.

teaching Mr. Wilkes the management of his passions, to carry political points, Junius accounts at once for his whole course of writing, and almost confesses that he had used the passions of the multitude, to carry a point of his own. Mark what he says in the same Letter to Mr. Wilkes, on the subject of Mr. Sawbridge being the Lord Mayor. *“His disposition, as you well know, is not fitted for that ACTIVE MANAGEMENT and INTRIGUE, which acquire an active popularity and direct the people by their PASSIONS.*

“ Common men are influenced by common motives ; but you, Sir, who *pretend to lead the people*, must act on higher motives.” And afterwards : “ A man who honestly engages in a public cause, must prepare himself for events which will at once demand his utmost patience, and rouse his warmest indignation. *I feel myself at this moment in the very situation I describe**.” This is too plain to require any comment ; however, it may be worth while to remark, that at this time he had just finished his correspondence with Horne ; and that a few days afterwards he wrote the fifty-seventh Letter to the duke of Grafton, about the Whittlebury oaks, the duke of Portland, and *nullum tempus.*

The ninety-third and ninety-fourth Letters of

* Junius and Wilkes, Letter LXVI.—7 September, 1771.

the miscellaneous collection, are addressed to the Lord Mayor Crosby, and Messrs. Oliver and Wilkes, justifying and approving their conduct, in having resisted the dictatorial power assumed by the *House of Commons*. The first and second were in the Tower at the time, where they were visited by the *dukes of Manchester and Portland*.

The antipathy of Junius to the duke of Grafton, is accounted for by his identity with the last of these two noblemen ; but, having recorded some passages in his writings, asserting, that the dukes of Grafton and Portland had once been friends, I shall give you a little collateral testimony on the subject.

On the 15th of March, 1763, there appeared, prefixed to a new tragedy called the Fall of Mortimer, a letter, supposed to be written by Mr. Wilkes, being a dedication of the tragedy to lord Bute, and replete with invective against him. I will give you one extract from this letter, leaving it to your Lordship to form your own opinion of the writer ; it tends merely to show that there existed a political intimacy between the two Dukes at the time. The writer addresses himself to lord Bute. “ You hold the first office of this kingdom, and enjoy, almost exclusively, the smiles of your Sovereign. *They*

(Mr. Pitt, and lord Temple and others,) have only the empty applause of their country.

“ This too they share with others—a duke of Newcastle and Devonshire, a marquis of Rockingham, an earl of Hardwicke, and the two spirited young nobles, who stand so high in fame and virtue, whom England glories that she can call her own, the dukes of Grafton and *Portland*. These illustrious characters will ever be respected by your Lordship for their ardent love of our Sovereign and of liberty, as well as honoured by this nation as the declared, determined, and *combined enemies of despotic, insolent, contemptible favouritism.*”

On the 8th day of March, among the dissentient lords on the Cyder Bill we have seen together the names of “ Grafton and Portland.”

On the 29th of November, 1763, a protest, signed by seventeen lords against the decision in that House, to agree with the Commons that the privilege of Parliament did not extend to libels, contains the names of Temple, Bolton, Devonshire, and others, linked with those of Grafton and Portland.

The list of the members of the Club in Albemarle-street, in 1764, commences with “ the dukes of Devonshire, Newcastle, Bolton, *Grafton, and Portland.*”

In the Rockingham administration the duke of Grafton and general Conway were Under Secretaries of State, the duke of Portland was made Lord Chamberlain.

The duke of Grafton deserted his party and friends, and Junius eternally reproaches his Grace with having abandoned and persecuted the duke of Portland.

LETTER XXVIII.

28 Feb. 1816.

Two very prominent features in Junius are his hatred to the Scotch, and his refusing to derive any pecuniary advantage from his writings. The duke of Portland, as the descendant of the first Bentinck, probably inherited a dislike to the leading men of that nation whose monarch was expelled by the assistance of his own sovereign and master, William III. Junius perpetually reminds us of the Whigs who brought about the glorious Revolution. Misc. Letter thirty-seven contains several forcible allusions to it. In fact, though the Scotch under their leader, lord Bute, rallied round the throne of Britain when filled by a descendant of the house of Brunswick, it does not appear that the Whigs of the house of Nassau ever shewed a disposition to encourage or even to trust them. But the in-

vasion of the duke of Portland's property by the intrigues of the Scotch favourite, and the transfer of it to the husband of that favourite's daughter, are argument enough to account for a partial antipathy to that nation; for we all know how naturally mankind, confounding *public* with *private*, draw general conclusions from particular examples: besides, (as Junius observed,) the Scotch engrossed the power of the Crown, and there was no room at St. James's but for Tories and Jacobites.

There were two Scotchmen in the triumvirate that heard counsel on the Duke's *caveat*. Lord Mansfield (a Scotchman) as Lord Chief Justice, *one of the King's servants*, ought, according to Junius and to the case, “to have debated solemnly on the Duke's title,” and to have quashed with his decision the grant to sir James Lowther; and Wedderburne, a Scotchman, was counsel for the Crown at the trial in Westminster Hall.

The other circumstance of refusing all pecuniary advantage, indicates that Junius was neither poor nor avaricious. There are few persons, even of good fortune, who would decline in these times to profit by any lucubrations they have the talent to produce; and if a doubt should be started as to accepting a reward for writing in a newspaper, it would probably vanish at the sight of two octavo volumes. But Junius

would not even submit to benefit a charity by his labours. He says *he is far above all pecuniary views.* He writes, according to his 44th Letter, neither for profit nor fame, that is, for profit derived from the press, for he had told Wilkes he did not disclaim the idea of *some personal views to future honour and advantage.*"

However I think it very fair to infer from this circumstance even, that Junius was no underling nor insignificant person, but a man of rank and influence. We may easily imagine for example, that a nobleman of the first class and distinction in the realm would disdain to take a reward for Letters written to serve a party and published in a newspaper, much less would his pride submit to receive a recompence for Letters written in a newspaper to serve himself.

In signifying his fears of detection, Junius says he should not survive a discovery three days, or if he did, "they would attaint him by bill," which expression implies, that he was a peer, because he could only have been attainted for a libel*. "He has left no room for accommodation with the piety of St. James's, his offences are not to be redeemed by recantation or repentance," a truth we may easily admit, and as a peer, he had indeed every thing to appre-

* Private Letter, No. 41.

hend in detection. He calls himself once a member of one house of parliament in mourning for the honour of his King and Country ; and I cannot help mentioning here, (though I do not mean to insist on the idea,) that when he advertises “ Junius to another duke,” I think he was instigated by some little conceit beyond the mere fancy of signifying that the antagonist of the duke of Grafton had now turned his arms against the duke of Bedford.

There is a private letter of Junius, No. 10, among the fac-similes, wherein the writer speaks of a *paquet* which Mr. Woodfall had received with the arms of Cavendish on the cover. Junius (one would imagine) was in frequent habits of writing the Cavendish name, for he uses an abbreviation, and describes it Cāndish. The contents of this *paquet* are unknown ; probably it was returned to Junius unopened, if from Junius it had originally come, which I very much suspect. That the duke of Portland, the most noble William Henry Cavendish Bentinck, son of lady Margaret Cavendish, who had married into the family of the duke of Devonshire, another family of Cavendishes, shōuld have had a seal with their arms is not very improbable, nor that he might have used it by mistake ; few persons are always perfect in mystery, and no one knew better than the duke of Portland that there

was “no end of the family.”—But as Junius had always spoken well of the duke of Portland, we might expect him to mention his family and connexions with respect. He says “the paquet cannot come from the Cāndishes, though there be no end of the family. They would not be so silly as to put their arms on the cover.” For a second mention of this family I must refer you to the 59th Letter, where Junius says he will not reject a bill which tends to confine parliamentary privilege, though it be stolen *from the house of Cavendish*, and introduced by Mr. Onslow. “*The features of the infant are a proof of the descent, and vindicate the noble birth from the baseness of the adoption.*” One of the seals affixed to the letters in Mr. Woodfall’s possession is a *ducal coronet*. The engraving of it is published with the fac-similes; others are antiques, particularly a fine head of Marcus Aurelius very finely cut. The cabinet of his Grace’s mother would have furnished these.

The hand-writing of Junius is generally disguised, although his real hand appears at times in spite of every precaution; sometimes he uses a small i at the commencement, where he would naturally be most attentive to concealment, but the hand-writing of the duke of Portland is precisely that of Junius, whenever undisguised, and formation of the letters is al-

ways similar, Junius's disguise consisting in placing them upright, and without any inclination. The manner of his forming the letter P is very remarkable. He has three different ways of writing it, besides a fourth, which is sometimes used in signing the name Portland.

I think there is an attempt at disguise in them all except one, which is the most common; but a sight of his Grace's hand-writing of the same date compared with the fac-similes in Mr. Woodfall's book will satisfy your Lordship at once, that there is no one reason whatever to doubt, that Junius and the duke of Portland were one and the same person.

LETTER XXIX.

MY LORD,

March 13, 1816.

THERE remains but one circumstance which I shall recommend to your Lordship's notice at present, feeling persuaded that the mass of evidence which I have given you has produced all the conviction *you* could desire, though you must have seen that I have hardly brought forward more than half the evidence which I had the power to employ. The volumes of Junius's Letters are replete with the most incon-

trovertible proofs of a personal interest pervading them. There is a personal feeling, a sense of injury and oppression, a wounded but indignant spirit discernible in every Letter, if not in every page.

‘It is impossible for a man that writes *one thing* not to have that same thing in his mind *.’ As Junius has made the duke of Portland’s cause his own, by defending it almost personally, so the sentiments it breathes have their echo in every succeeding case which Junius defends politically; the string which had been first struck never ceases to vibrate, and there is hardly a single Letter in which some portion of that individual feeling is not to be detected, either in substance or by implication, though sometimes it appear but as a solitary gleam; or exist only in a solitary word,—a glance at sir James Lowther, lord Bute, the duke of Grafton, or the duke of Portland, a hint of *the man, the minister*, of forms, property, charters, grants, promises, &c. &c. &c.

On referring to the Letters which I have quoted, your Lordship has seen that I have selected only the most pointed expressions, and but enough of those to serve my purpose,—had I transcribed every passage that could elucidate

* Lord Erskine.

or strengthen my argument, I should have encumbered you and exhausted myself with an infinity of correspondence which the circumstances of the proof have not seemed to require.

I have avoided the observations of historians, reviewers and magazine writers on the merits of Junius as an author and as a man, and more particularly of those who have thought proper to abuse him and his works. Whether their attacks are generous or just, or both, or neither, it is not my province to decide, and I have not thought them worthy of our notice, since they have been all written in ignorance of the man and of his motives ; but enough of this subject. I shall proceed to the circumstance I mentioned in the beginning of my letter as still to be explained, premising that I state a supposititious case from which no absolute conclusion need be drawn, but as a matter of speculation, a case not unworthy of a few lines.

Let us suppose that Junius had *not* written, that the language of the duke of Portland's case had *never* transpired, that his Grace and lord Rockingham had *not* endeavoured to write down the two administrations, or to curb the alarming encroachments of the Crown, that the secret influence of the favourite and the power of the Tories had remained in full force and vigour,—what had become of the Forest of

Inglewood, and the castle and soccage of Carlisle? Would the duke of Portland have ejected sir James Lowther, or would the Tories have renewed the leases of the Marylebone estate which devolved to the crown in 1794? If the Treasury had seated sir James Lowther in perfect and secure possession of his new grant, what plea could his Grace have set up against the resumption of the Marylebone estate, in which the Crown had every right? You, my Lord, who know the value of the Marylebone property, can estimate justly the enormous portion of his revenue and influence which by such a combination of circumstances the duke of Portland might have lost.

The same ministers who had granted away his hereditary property in Cumberland might have sold or granted away even the reversion of this.

Let us suppose still another case:—Had the author of Junius's Letters been discovered before the year 1794, and had it been proved that he was the duke of Portland; could the Duke have expected of the Crown the renewal of the Marylebone estate, whether Whigs or Tories were uppermost? and would not the apprehension of such an event have influenced any man breathing to have desisted from writing such Letters as Junius wrote, when he had no longer a personal interest to serve? What does Junius in-

fer by telling sir W. Draper that *motives very different from any apprehension of his resentment* make it impossible he should ever know him? Taking for granted that the Duke and Junius were *one person*, for what a mighty stake did that one person contend! and how necessary was it to his interest that the Scotch influence and the power of the Tories should be overthrown!—Surely it is no small palliation, if not an entire excuse, for every thing that has or can be urged against him, that he fought *pro aris et focis*, and not for aggrandizement or avarice, but to defend his inheritance, to keep what he had got, to preserve all that mankind value and scramble for, the wealth and the power which he already possessed.

The security of the Cumberland estate was the first concern of Junius; the possibility of losing the other, though at a distance of more than twenty years, must have been contemplated with a perpetual anxiety. Indeed, to this circumstance the politicians of the day attributed his change of party in 1794; and probably an idea originating in this supposition caused the remark of lord Lansdown in the House of Lords respecting the renewal of the leases. I have heard or read, that lord Lansdown, but a little time before his death, declared his knowledge of Junius; but I have been informed on excellent

authority, that nothing whatever relative to that writer has been found among his Lordship's papers.

So much for the *last circumstance* which I thought worthy your notice,—I have mentioned it as merely being so, without having drawn an inference from it of any nature: indeed, it never occurred to myself till yesterday, and can only be entertained as a piece of speculation—except that it admits a most ample apology for any thing and every thing that Junius has written.

I shall now take leave of the subject which has so much interested both of us, and in the investigation of which we have not discovered, encountered, nor avoided any one objection whatever. I shall close my correspondence with two passages from our author.

“ The conclusion to be drawn from these premises is obvious. IT AMOUNTS TO A MORAL CERTAINTY *, AND, TAKING THE WHOLE OF THE EVIDENCE TOGETHER, I AFFIRM THAT IT CONSTITUTES A MASS OF DEMONSTRATION, THAN WHICH NOTHING MORE COMPLETE CAN BE OFFERED TO THE HUMAN MIND †.”

* Misc. Letter **XLV.** p. 158, Vol. III.

† Junius to lord Mansfield.

APPENDIX.

THE

DUKE OF PORTLAND'S
CASE.

2019-01-19 (2019)

2019-01-19 (2019)

THE
CASE
OF
HIS GRACE THE DUKE OF PORTLAND,
RESPECTING
TWO LEASES,
LATELY GRANTED BY THE LORDS OF THE TREASURY,
TO SIR JAMES LOWTHER, BART.
WITH OBSERVATIONS ON THE MOTION FOR A
REMEDIAL BILL,
FOR
QUIETING THE POSSESSION OF THE SUBJECT;
AND
An Appendix,
CONSISTING OF
AUTHENTIC DOCUMENTS.

THE ELEVENTH EDITION.

LONDON:

PRINTED FOR J. ALMON, OPPOSITE BURLINGTON HOUSE, IN PICCADILLY.

1768.

APPENDIX.

THE CASE OF HIS GRACE

THE

DUKE OF PORTLAND, &c.

As I shall have frequent occasion in the course of the following pages to speak of the debates and proceedings in the late parliament, I shall premise, that I consider myself fully at liberty to canvass their conduct, though they were but yesterday in the plenitude of their power, either to redress grievances, if they had so pleased, or to leave them unredressed, which they thought the preferable parts, as any faithful historian would be, who should have occasion to relate events in the pensionary parliament of Charles the Second, or any other the most obsequious that can be found in our ancient annals, either in the prerogative days of Stuarts and Tudors, or the violent race of Plantagenets. I shall use no ambiguous terms of *certain noble persons*, or a *certain august assembly*, and all the shifty phrases for conveying hints instead of affirming, I shall relate the conduct of the Board of Treasury, leaving it to the public to judge, whether or no they have been guilty of an unjust and violent attack upon private property, to serve the

purposes of an election, and I shall leave the late parliament itself, to be handed down to posterity, as having refused redress to their constituents of such grievances, and having denied the proffered security for their fellow-subjects, against future attacks of the same kind. Let the public judge how fit those men are to be trusted with the administration of government, who think it sport to involve the holders of landed property in law-suits with the powers of the Crown, after an uninterrupted enjoyment without question of their title, for more than threescore years, and this for no pretence of crime, or other visible cause, than that the tenants of the party thus attacked, oppose, in right of their own private property as freeholders, the election of sir James Lowther for the county of Cumberland. As to the personal conduct of the members of the last parliament, it behoves us likewise to be fully apprized, not, I fear, that it would have much weight as to the future election of many of them into parliament, should the terrors of government be held out to such refractory constituents, as refuse to return their dependants and favourites. But still it is an advantage always to be apprized of the danger, if at any time hereafter so great a calamity should lie in wait for us, so severe a visitation for the too general profligacy and venality of constituents, as to find the liberty and property of themselves and their fellow-subjects, betrayed by their own profligate and venal delegates.

“ A motion was made” on the 17th of February, 1768, in parliament, by sir George Savile, and seconded by sir Anthony Abdy, “ for leave to bring in a bill for quieting the possessions of the subject, and for amending and rendering more effectual an

act of 21st of James I. for the general quiet of the subject against all pretences of concealment whatever."

The purport of this act of 21st of James I. is, that a quiet and uninterrupted enjoyment for 60 years before the passing of the act, of any estate originally derived from the Crown, shall bar the Crown from any right of suit to recover such estate, under pretence of any flaw in the grant, or other defect of title: This act, *at that time*, therefore secured the rights of such as could prove their possessions 60 years, but, by its very nature, has been continually diminishing in its effect, and departing from its principle, since it would now become as necessary to prove a possession of 205 years, as it was then to prove 60. Thus, by a kind of retrograde inversion of the principle, security wastes and weakens, instead of gaining strength, by time and possession: and he who has longest enjoyed, is the most perplexed, and may now be most liable to any vexatious law-suit, that any Board of Treasury, to serve any clandestine purpose, may at any time please to institute. The proposal to amend that bill, and to render it more effectual towards the quiet of the subject, was simply this, That an undisturbed possession of 60 years (or any such term as parliament should have thought proper) to be taken backwards from *the time being*, should be a security from any suit to be commenced by the Crown, or any of its ministers.

This motion was introduced upon public grounds, and supported upon those principles only, without any personal attack upon the administration or the members of the Board of Treasury, nay expressly guarded against even the appearance of serving any immediate and personal purpose, or taking in,

any pendent recent case : But as an evil conscience will betray itself, and the galled jade will winch, the mere proposal of securing the *future* quiet of the subject, was wormwood at that time to those who laboured under the consciousness of their own past and recent conduct. They made a faint attempt, worthy indeed of themselves, to oppose the salutary principle of this bill, by ransacking the tombs of tyranny for argument, and holding up the relics of prerogative for adoration ; by daring to contend in the face of their country, that it would shake the fundamentals of the constitution even to limit ministers under the Crown, from harassing the private subject, with antiquated claims, vexatious suits, and threats of confiscation ; and by such other detestable doctrines as made their own servile dependants shudder to hear. Feeling their weakness on this ground, they left the interest of the public in this great question, for the private cause of endeavouring to colour, misrepresent, and explain away (if they could have done it) the iniquity of their own conduct in the particular act of violence towards the duke of Portland's property, for which they felt that every impartial man in the kingdom (though few indeed are uninterested in the consequences of this precedent) must hold them in abhorrence. But even upon the private ground they succeeded no better than on the public, though every circumstance was planned by themselves, cards sent to summon their dependants *pro aris et focis*, and all parties to the trial of accuser, criminal, advocate, and judge united in the person of the ministry. Self-accused even in their own argument, the ministry ; criminal, the ministry ; advocate, the ministry ; judges, the ministry. Yet I will venture to say that that ministry shall bear in their fore-

head from that day, the mark of reprobation which no future times shall separate from their names and memory. And I will likewise venture to hope and to foretell, that the very next parliament shall, to their eternal disgrace, erect a victorious monument *ære perennius*, of private property rescued and secured from the violence, breach of faith, injustice, and profligacy of hireling ministers.

I have no hesitation or scruple to avow, that the cause which I am going to lay before the public is a *private* concern, for what cause can be more interesting to the public, or more universal, than the defence of private property against oppression and the hand of power. The friends to the future peace and quiet of their country, could not have wished for a more favourable incident. The value of the property put into litigation is not inconsiderable in itself, (about 30,000*l.*) but it is far from being the most material part of the noble Duke's inheritance against whom this attack is made. It might have fallen upon some other crown-grantee and have been his all. Such a case might have excited more compassion, yet the evil consequences comprehended under the precedent and principle, have no less tendency against the public quiet, though it has happened to a Duke.

I will anticipate one circumstance, *viz.* that the grant of part of the duke of Portland's property was made out by the Treasury to sir James Lowther without consulting the crown lawyers, or hearing the duke of Portland's lawyers, as to the validity of his present title and possession. The only reason of this must be, lest the duke of Portland's title should have been so clearly made out, that they could have had no pretence of granting a lease to

sir James Lowther to serve the temporary purposes of the next election, but even here they have failed, having so far over-shot the mark in Cumberland, that the laudable spirit of the freeholders has been disgusted and not terrified at such violent proceedings. I conclude from all this that we shall freely be acquitted by the public from being actuated by motives of spleen or pique or panic, neither being galled by the appearance of the election, nor yet the duke of Portland under any apprehension of losing the smallest part of his property. As to the expence of the law-suit, there are but few so well able to support it as himself, and none more willing, like Hampden, to go through every form and every court of law, whatever be the vexation or expence, having the fullest hope and confidence, that his case may furnish an opportunity of enacting some salutary law, that shall henceforward protect his fellow-subjects from such vexations; not that his ability, his readiness or resolution to stand in the gap for the general quiet of private property, does in any sort extenuate the conduct of the Board of Treasury in this act of violence, but is on the contrary the greatest reproach and aggravation.

As to the proposed bill, the leaders of the late parliament, with all their store of prerogative doctrines, could not look it in the face, but after having exposed the blackness of their secret thoughts, even with a venal majority of three to one on any other question, they did not dare to divide upon this, their ~~own~~ implicit dependants at any other time, having refused to fight under the high flying banners of prerogative set up by them. Being defeated in this attempt, they could only obtain a delay of this bill, after the universal sense of the house (the few ministerial advocates for prerogative

excepted) was expressed, for taking up the cause in the first session of the next parliament. . . Even this delay was carried only by a majority of twenty. Many trimmers were so obsequious as to retire, not having the hardiness directly to oppose an immediate redress of so flagrant a grievance, as the invasion of private property for the purposes of an election: . . There was one piece of ministerial and parliamentary craft, which perhaps every one may not be aware of. . When any question is moved and seconded, if there is a division of the house upon it, that question must appear in the votes. The majority not daring to throw out such a question with the votes to confront them in the face of the public, moved for the orders of the day, which, according to the forms of the house, avoids any public specification of the motion then in debate. Concealment betrays guilt, and those will ever retire into darkness and subterfuges whose deeds are evil.

*Accipe nunc Danaum Insidias, et Crimine ab uno
Disce omnes..*

I shall now state the transactions and matters of fact as they stand between sir James Lowther, the Board of Treasury, and the duke of Portland. The materials by which I am enabled to verify the several parts of this narrative, are, Memorials to the Treasury, with their official replies, all public and authentic. Besides these, there are letters which have passed between some of the parties to this transaction, they are not by any means to be called private letters, either from any secrecy implied in the matter of them, or the expression. But for the sake of the most scrupulous punctilio, it is not thought proper to publish them without the consent

of all parties. I can answer for one side, that the duke of Portland neither has, nor can have, any objection, to have every letter, every note, every private conversation, and every the minutest transaction or hint whatsoever, brought out into open daylight. Not that the facts alluded to in any of these personal papers, (for I cannot call them private ones) are in any sort different from those which can be authenticated from the public memorials, but originals written by the parties themselves, during the very transaction, would hold up life and real objects to the public, of which a narrative can be but the representation.

On the 9th of July, 1767, sir James Lowther presented a memorial (No. 1.) to the Treasury, praying a grant of the forest of Inglewood, and soccage of the castle of Carlisle, which the duke of Portland enjoys under a grant from king William, and which his family have been in quiet possession of, between sixty and seventy years. The memorialist, sir James Lowther, says he is informed, that the possession of the premises has been for many years withheld from the Crown, and that no benefit whatever arises to the Crown therefrom, therefore prays a lease of his Majesty's interest therein, for three lives, on such terms as to their Lordships shall seem meet. This memorial the Board of Treasury referred to the surveyor-general of crown lands for his opinion thereon. His report in answer to the Board (No. 2), dated the 7th of August, 1767, says, that the forest of Inglewood, and soccage of Carlisle, were not conveyed by king William's grant to the earl of Portland, but were still vested in the Crown, he therefore recommends a lease of the premises to be granted to sir James Lowther, for three lives on certain reserved rents,

viz. 50*l. per ann.* for the soccage of Carlisle, and 13*s. 4d.* for the forest, and a third part in both of the rent of such lands, &c. as shall be recovered from the duke of Portland.

This report of the Surveyor-General, who is not a lawyer himself, was returned to the Treasury, without having taken the opinion of the Attorney or Solicitor General, though on a point of law, or hearing the duke of Portland's lawyers in defence of his title. This officer, called Surveyor-General, is a person not known in the law, nor in any sort connected with it. He is supposed to be conversant in the knowledge of metes and bounds; ascertaining the value of lands and houses; and the setting of fines, in consequence of such knowledge. Such questions as these, and not points of law, are the proper subjects of reference to him; for he is no more than a keeper of the King's maps, or Land-Surveyor; and neither by profession, nor office, has the least connection with the law. The present Surveyor-General is an elderly gentleman, who has lost his sight by age, and is himself incapable of business, which therefore devolves, *de facto*, upon his deputy, Mr. Zachary Chambers. Think then of the duke of Portland's title, which is to be either defeated, or supported, by a long train of precedents, usages, constructions, grants, surveys, perambulations, verdicts, and innumerable acts of ownership, for three hundred years back (from the time of Richard III. when duke of Gloucester), being decided between the 9th of July, and the 7th of August, without any consultation with the crown lawyers, by Mr. Chambers, the Surveyor's deputy. I would have given any man an hundred guesses, to find out the properest person to decide a great matter of right and property. One might have thought

of my Lord High Chancellor, (but perhaps he would not have served their turn) or my Lords the Judges, or his Majesty's Counsel learned in the law. No! none of these. The standing counsel to the Board of Treasury, whenever the King's inheritance is called in question, is a Land-surveyor's deputy.

I would not aver, indeed, that they have been entirely destitute of all legal help; for it has been shrewdly suspected, from the utter impossibility of an abstruse question in law being stated by such an officer, that sir James Lowther's lawyers assisted to draw up that report, in their client's favour, which was presented to the Board, as from the Surveyor-General. We shall see, by and by, that the Treasury asserts this report to be binding upon their proceedings, and that they have no power to contravene it. Which end will they take it by? have they, in their capacity as King's ministers, instituted a suit against the lineal possessor of seventy years, upon the advice of a mere Land-surveyor, without consulting the crown lawyers? or, to mend the matter, did they consider the report as drawn up by a lawyer of the party petitioning for the grant; and, for that reason, to be compulsive upon their determinations. There is a maxim in logic, *omne majus continet minus*, and I do not see what can be thought impossible for a Board to do, who have granted away the property of a fellow-subject, without hearing him in defence of his title, notwithstanding the most solemn and repeated assurances, that no step should be taken till he had been heard.

But, to return to the narrative: This report in favour of sir James Lowther, whether drawn up by his own lawyer, or the deputy-surveyor, was pre-

sent to the Board on the 7th of August, but the Board thought themselves under no obligations to inform the duke of Portland, whose property was so materially attacked, of their proceedings, though his agents attended, day by day, at the Treasury, from the middle of August, to the end of the month, upon a vague report, that something of the kind was in agitation. After many days attendance, a friend of the duke of Portland, whom his agent knew (a member of parliament), came to the Treasury upon some other business: through his means, the agent applied to the secretary of the Treasury for information; who answered, he could give no papers without orders from the Board. Upon this, the duke of Portland's friend applied directly to a Lord of the Treasury, who procured copies of what had passed. I will observe here, that, in common justice, where any one's property is attacked, he ought to have the earliest notice to stand upon his defence. The Board of Treasury might have informed the duke of Portland, at any time, between the 7th of August and the end of the month, for his agent attended constantly; the clerks of the Treasury knew this very well; but even supposing the Board not to know of the agent's attendance, yet the duke of Portland himself is not so entirely unknown, but that the Secretary of the Treasury might have informed him by letter.

On the 2d of September, the duke of Portland received authentic information (notwithstanding all the silence and reserve of office) of sir James Lowther's memorial, and the Surveyor-General's report, for so it is called. He immediately applied for a suspension of all proceedings in the matter, till he had an opportunity of laying his title before the Board. The Treasury, in the interim, had ad-

journed till the 9th of October, and, during this vacation, all lawyers at this time of the year being absent from London, the duke of Portland could make but little progress in preparing his title for the Board. In the beginning of October (viz. on the 8th) *caveats* were entered in the offices of the Chancellor of the Exchequer, and the Auditor of the land revenue for the county of Cumberland, to prevent any lease, or grant, passing to sir James Lowther by surprise. The proper fees were paid at each office, and the *caveats* received; and, for a greater caution, a *caveat* was entered with the clerk of the patents to the Great Seal. But, in respect of the Board of Treasury, which is not an office of law, the duke of Portland, instead of a *caveat*, presented a memorial (No. 3), praying to be heard by counsel, in defence of his own title, before the Board proceeded to any act in consequence of sir James Lowther's application.

This request from the duke of Portland to be heard in defence of his title, before the Treasury came to any determination against him, produced the following at that time very satisfactory reply, from the Secretary of the Treasury, by order of the Board.

(No. 4.) *Treasury Chambers, Oct. 10, 1767.*

MY LORD,

A MEMORIAL of your Grace's to the Board of Treasury, with respect to the forest of Inglewood, was delivered to me yesterday, by your Grace's agent. I did not lose a moment in bringing it before the Lords, I gave it place of all other papers, and, upon its being read, the duke

of Grafton, and the other Lords, were pleased to direct me to acquaint your Grace, that if you would be pleased to lay before them a state of your claim, and title to the forest of Inglewood, they would refer it to the Surveyor-General, and send him back also, at the same time, his report upon the memorial of sir James Lowther for his farther consideration. *And I am directed also to assure your Grace, that no step shall be taken towards the decision of the matter in question, till your Grace's title has been stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the Board of Treasury.* I have the honour to be, &c.

GREY COOPER.

I will stop the reader in this place, and recommend him to weigh every word of this letter, with the utmost attention and accuracy, and then tell me, whether there can be found any terms in the whole extent of language, more explicit, or more peremptory than these. Is there the least ambiguity or loop-hole for mental reservation? Let us attend to the request that called out these assurances. The duke of Portland desires to be heard by counsel, in support of his own rights. Can there be devised any proposition in itself more reasonable and just? The Treasury assure him, that no step shall be taken, till his title had been stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the Board. Yet these words were given to the wind. We have heard of ministerial promises broken even to a proverb; and if the duke of Portland had applied for some favour, or place, or pension, had the promise been conceived

in ordinary or indefinite terms, I can conceive, that many precedents might be found for the exercise of this ministerial prerogative. But in a plea of strict justice, no more than that the party attacked should be heard before decision, and in a country where not only strict, but liberal justice, is the indefeasable inheritance of the meanest subject ; to violate this fundamental law, without remorse, and in contempt of the most solemn engagements that words could express, attested under the hand and seal, and record of office, is a degree of madness, infatuation, and profligacy, beyond example. Some judgment hangs over them ; some fate or fatal influence impels them to their ruin.—*Quos Deus vult perdere, prius dementat.*

From this time, the duke of Portland, trusting to the full assurances from the Board, and, therefore, that his labours would not be thrown away, continued to employ his agents in preparing his title. Their time was fully employed in inspecting, and taking copies of a great variety of evidences, in many of the public offices. But, in order to examine whether the facts stated in the Surveyor's report were truly and impartially stated, it was thought desirable to have recourse to his office, to inspect the surveys, court-rolls, and muniments, on which he founded his report. The propriety and justice of this is very apparent ; for what presumption can there be, that such a report should be accurately stated, if it be supposed to come from the incompetent hand of a deputy land-surveyor ? and if it be the performance of a lawyer of the adverse party, how can it be considered as impartial ? The agents of the duke of Portland, made no doubt of obtaining permission to inspect the Surveyor's office ; accordingly, application was made to Mr.

Chambers for that purpose; which application, however, he refused to comply with. This refusal of Mr. Chambers to produce the vouchers for the contents of his report, did not at all contribute to lessen the suspicion of the duke of Portland's agents, that the facts, alledged in the Surveyor's report, might be partially stated, though the Treasury entertained it with such implicit deference.

However, upon this disappointment, the duke of Portland's agents, thinking they could fully employ their time among other offices, till the meeting of parliament, when he was expected in town, determined so to do, and to apply to him, when he came, to obtain an inspection into the Surveyor's office. Accordingly, on the 25th of November, the very next day after the meeting of parliament, the duke of Portland met the duke of Grafton at court, and had a conference with him on the subject. In a few days, the duke of Portland presented a Memorial to the Treasury, (No. 5.) dated December the second. The Memorial prays (*in regard that all public records ought, and by all courts of judicature are directed to be inspected for the benefit of the parties interested*) an order from the Treasury for the inspection of such surveys, court-rolls, &c. as related to the matter in question. On the next day, the Secretary of the Treasury informed the duke of Portland's agent, that their Lordships had granted the request, as to the inspection of the Surveyor's office, not upon the foundation of right, but as a matter of candour and civility, and that such an order would be drawn up by Mr. Watkins, the clerk, in whose department such business was.

The agent applied to Mr. Watkins, who put him off till the middle of the next week. The order was

afterwards called for twice; the first time the clerk was not in the way, but the next day appeared, and took his fee for the order, and said, that it had been sent to the Surveyor-General; he was applied to for a copy, but would not give one, alledging, that the order sent to the Surveyor-General was sufficient. Application was then made at the deputy surveyor's, to know if they had received it. They denied that any such order had been sent, although they had returned an answer to the Treasury two days before, remonstrating against any order for inspection by those who litigate the rights of the Crown. Then farther application was made at the Treasury, to hunt out this supposed order which Mr. Cooper had told them, the Lords, out of their great candour and civility, had given instructions for; and in this manner were the agents tossed about, from pillar to post, from the 2d of December till Christmas.

I dare say the reader no more suspects what was passing at the Board in this interim, than the agents did. The Board had indeed given the most solemn assurances, *that no step should be taken towards the decision of the matter in question, till the duke of Portland's title had been stated, referred to, and reported on, by the proper officer, and fully and maturely considered by the Board.* But notwithstanding this promise, and without the least previous notice, or citation, to the duke of Portland, to lay the particulars of his title before the Board; and while his agents were preparing his title under instructions from the Board, and were amused with the expectation of an order for inspection; the grants were actually executed (all but the Exchequer seal) before the duke of Portland, or his agents, were even apprised that the inspection of the Surveyor's office was denied.

Having specified in what manner the agents were employed; let us now see what has been passing at the Board. Mr. Bradshaw, in pursuance to their Lordships' commands, on the 12th of December, sent the *directions* of the Board to the Surveyor, *desiring* him to *permit* the inspection of his office; on the 15th of December, he reports (No. 6.) in answer to Mr. Bradshaw's letter, that the Records in his office are not public, but kept for the King's use only: then he remonstrates against any permission to inspect, by the agents of any persons who avowedly intend to contest the rights of the Crown. In the conclusion, he recommends the *shortest way* to try the rights of the Crown, by granting the desired leases to sir James Lowther.

I cannot imagine what put it into the Surveyor's head, to subjoin this last injunction to the Treasury, to take the *shortest way* with the duke of Portland's property. It was quite foreign to the purport of his report, which ought to have been, merely to assign his reasons for not permitting the inspection of the records. In what light can this insertion, so foreign to the purpose of his report, be considered, but as taking the part of an agent for sir James Lowther? But if the whole Board of Treasury had been sir James Lowther's most officious agents, they could not have followed this injunction more implicitly. The Surveyor-General cannot be supposed to have known of the solemn promise, that was subsisting from the Board to the duke of Portland, not to take any step till his title had been *stated*, &c. and *fully and maturely considered*; but this made no impediment to the Treasury, they took the *shortest way* indeed, which was to decide, without the plague of hearing the evidence; and on the 22d of December, Mr. Cooper wrote to the

duke of Portland, (No. 7.) that the Board, upon receiving the Surveyor's second Memorial, refusing the inspection of his office to the agents, and recommending to the Treasury to proceed the shortest way to work, had given orders for the leases to sir James Lowther, without any more to do: and so, my Lords the Commissioners of the Treasury present their respects to your Grace, and it is all over: which was the truth of the matter; for the Board adjourned that day for the Christmas holydays, the leases were signed and sealed, and executed by the Lords, *at their own houses*, during the holydays, and delivered to sir James Lowther ten days before the Board was to meet again. As this was the case, they were safe enough from any memorials or remonstrances against the breach of faith, and injustice of these proceedings, till the grant was too far out of their reach to be recalled, and posted up in hand-bills, to the honour of the King's ministers, at every hedge-alehouse in Cumberland, with the King's arms affixed.

Two parts of a plot may be going on together, but it is not easy to describe them in the same breath. The poor agents are all this time quite in the dark, though continually attending at the Treasury. They are rummaging for an order to inspect the Surveyor's office, a week after it was all over. I think those who were in the secret, and knew what was passing at the Board, must laugh in their sleeve; and to prolong the entertainment a few days, the Secretary of the Treasury wrote, on the 22d of December, to the duke of Portland, who was 150 miles off in the country, that all was over, and the grant ordered to sir James Lowther, instead of having, five days before, when the order to proceed in the leases was signed, informed his agent,

who was in the lobby the very day and hour when that order was made out. A trusty office truly! where Mr. Watkins, the clerk, is receiving a guinea fee, to examine the Treasury books (viz. on the 17th of December) for the supposed order for inspection, in the same breath that the Board having superseded that order, is proceeding to decision with the utmost dispatch! Had they stuck to their favourite principle of doing things the *shortest way*, they might have informed the agent of their proceedings upon the spot; and at the very time of their determination, instead of concealing them in a clandestine manner, till the last day before the holydays, and then sending the information three hundred miles round. There can have been no other intention in all this secrecy, but to avoid any memorial from the duke of Portland's counsel, who are gentlemen of the first eminence in the law, and were then in town; and the consequence was, that the leases were signed and executed by the Lords of the Treasury, and nothing remained but the Chancellor of the Exchequer's seal to be affixed, before either the duke of Portland's agents, or lawyers, were in the least apprised of the matter.

As soon as information arrived from the duke of Portland of these proceedings, his agent waited upon the Chancellor of the Exchequer, to prevail upon him to withhold the seal, in consequence of the *caveat* entered at his office. His Lordship said that he was pressed to affix the seal *instantaneously*, that as Chancellor of Exchequer, he considered himself a ministerial officer, and subject as much to an order from the Board of Treasury as any common clerk, in respect to his seal to grants, and therefore could not withhold it. I will venture to say, this is so far from being the case, that the Chancellor of the Exchequer is one of the first

legal officers in the kingdom, and that the very purpose of his being annexed to the Board of Treasury, is, that he may be a *judicial* controul upon the acts of that Board. At least, so says Maddox, in his history of the Exchequer, page 580: *as to the Chancellor of the Exchequer, he seems to have been appointed to be a controul or check upon the Treasurer.* The commissioners are *supposed* to act upon the common principles of justice, they are *supposed* to take the advice of the crown lawyers, they are *supposed* to hear the counsel of the parties concerned, or the parties themselves, (and surely not the less so for having given the most solemn assurances) but in case of any notorious dissatisfaction, the parties have a right to enter a *caveat* before the Chancellor of the Exchequer, and to appeal to him as a *legal* officer of controul, and not as a mere deputy clerk to the Treasury; and if, upon a *legal* consideration of the matter, the Chancellor of the Exchequer sees sufficient cause, he may, in right of his office, refuse to affix his seal. But to put this out of the question, I can produce a case in point, which happened when the duke of Newcastle was first Lord of the Treasury, and sir George Lyttleton Chancellor of the Exchequer. A lease was ordered to be made out by the Board of Treasury in favour of the corporation of Plymouth. The defendant entered a *caveat* at the seal of the Chancellor of the Exchequer. The Chancellor of the Exchequer withheld his seal: the defendant was heard by his counsel, and the lease revoked. I quote no obscure case; the living witnesses to this transaction are, (among others) the duke of Newcastle, lord Lyttleton, lord Mansfield, the earl of Northington, and lord Camden, having all been parties to it. Wise men profit by the experience of others; I hope the

present Chancellor of the Exchequer will be wiser for his own.

It would be absurd to suppose any officer, having the King's seal in his custody, and responsible for the exercise of it, to be subservient, like a mere clerk of the Treasury, besides the very right of his office to receive a *caveat*, is a proof of his judicial capacity. Who ever heard of a *caveat* entered at the desk of a common clerk? I hope this plea of the Chancellor of the Exchequer, being merely ministerial as to his seal to grants, will not be established into precedent, as the mutual check of offices upon one another is a principal barrier to the property of the subject, and as such, a precedent would defeat the very main security in future times, against the encroachments, injustice, and insolence, of office. How different the fate of this *caveat* has been, compared with another which has been lately entered at the Privy Seal! the earl of Chat-ham's health not allowing him to attend to business, the Privy Seal is put into commission for no other purpose, but to hear counsel upon that *caveat*, notwithstanding the Lord High Chancellor, (whose abilities and integrity to enquire into the subject-matter of that *caveat* no one can doubt,) remains in order, after the privy seal, to give the defendants a second hearing.

The Chancellor of the Exchequer, as a *legal* officer, ranks next to the Lord High Chancellor, and takes precedence of the Chancellor of the Duchy of Lancaster, and both Chief Justices. It is great condescension in him to act the submissive part of a mere indented clerk; but if he had stood up to the dignity of his office, the Board of Treasury could not have avoided hearing counsel at law, which might perhaps have defeated their designs, of granting away the duke of

Portland's property to sir James Lowther. Nothing surely can bear so little the appearance of justice, as for a Board, without the least smattering of law among the members, without consulting the crown lawyers in a matter of very abstruse law, who are bound, *ex officio*, to give their advice; refusing to hear the defendant's counsel; and during the adjournment of the Board, when no memorial could have access to them, even if the parties attacked had been apprised of their conduct, which was so cautiously kept out of sight. 'I say, under all these circumstances, what motives of honesty, or justice, could impel them to grant away the property of a British subject, by a clandestine, precipitate, and surreptitious act?

If I were to follow the example of the Board of Treasury, I should content myself with stating one side, and end here, without producing to the public their apology for themselves, as set forth in a letter from one of the secretaries (No. 8). It was in answer to the duke of Portland, who had written personally to the principal members of the Treasury, no Board sitting to receive a Memorial. In it he complained of the injustice and precipitancy of their conduct. He represented that, resting secure in the promise he had received, that no steps should be taken, till his claim had been maturely considered: he was actually collecting his title, when by one and the same letter (No. 7.) from the Secretary of the Treasury, he was informed, to his great astonishment, that the Surveyor-General's Office was not to be inspected, and that the grants were ordered to be made out to sir James Lowther.

I shall now state the substance of this letter, (No. 8.) and consider the particulars in order. The letter

says, that the Surveyor-General declares his opinion, that *the forest of Inglewood is not in grant, but vested in the Crown, and recommends and advises, that a lease of the said forest may be granted to sir James Lowther, for such term, at such a rent, and on such conditions as are therein mentioned.* In ordinary cases, according to the ancient practice and precedents of the Treasury, reports of this nature are immediately approved of upon being read. In this instance, the consideration of the report was postponed, with many expressions of personal regard. I have already spoke of the Surveyor's capacity as a lawyer, to give an opinion in a deep point of law, but in this place he is introduced and acknowledged by the Board in a new capacity, viz. that of *recommending and advising* them, who are the proper objects to receive the favours of the Crown. The First Lord of the Treasury is always supposed to be minister, but here we see the whole Board acknowledging the deputy, Mr. Chambers, as their privy counsellor and referee for the favours of the Crown. If one transient ray of common justice had shot across the Board, if it had perchance occurred, that the duke of Portland, as the lineal and undisturbed possessor for sixty or seventy years, should have had an offer of the lease granted to sir James Lowther, it must of course have been checked by Mr. Chambers's recommendation of sir James Lowther as the more deserving man. Again—as managers of the public revenue, under the Civil List Act, quoted by Mr. Chambers in his report, who sets a low fine, and small reserved rent, in consideration of the trouble and expence to recover the premises; if upon reference or consideration before the Board, the duke of Portland had found his title defective, it would have been

worth his while to have given as much more than sir James Lowther, as the expences of the suit must amount to. But these stewards of the public prefer the inestimable friend of Mr. Zachary to any such consideration.

What is it but infinite impertinence for a mere office of reference to dictate, in this manner, to the first Board in the kingdom: and if such a report is to be *approved as soon as read*, what security is there against partiality or secret influence, especially in matters of great property. I mean security to the private subject, for the more liable any private office is to corruption, the more readily may it be turned into an engine of tyranny by ministers. Some profligate administration may, in future times, arise, either acting from a general pre-meditated design of spreading destruction throughout this kingdom, or with the special view of applying the terrors of proscription, in the election of members; preferring the chance, that a parliament, so elected, will be most likely to betray the liberty and property of their constituents, to the hazard of proceeding by open violence. The Surveyor-General, as far as relates to his office, must, at all times, be a mere creature of any administration, whenever they shall take any wicked design into their head, being an officer removeable at pleasure. The Treasury may shelter themselves under his sanction, and they may perpetrate the most desperate acts, without exposing themselves, under the guise of a poor, dependent, insignificant, irresponsible object. A secret understanding may subsist between the two parties, and it will behove the Surveyor, for his own sake, to be quick of apprehension, and not to report in favour of any obnoxious party, where the ministry

shall aim a confiscation ; until the very sound of Surveyor-General, shall become as odious in the ears of the people, as the names of Empson and Dudley. I think I do not exaggerate when I say, that all these mischiefs tread on the heels of them, who get instructed in the use of such dangerous weapons, especially when faction, resentment, and party rage, quicken the appetite for revenge.

However in the case of the duke of Portland, the Treasury *postponed*, as they say, the consideration of the Surveyor's report, with *many expressions of personal regard, &c.* But how was the matter mended by mere postponing ? for they never heard the other side of the question, nor consulted the Attorney-General, nor took any of the steps they had engaged for, to consider the case *fully and maturely*. This boasted postponing, was, in truth, no more than lying in wait for some opportunity to finish the whole matter, at one sudden stroke, by giving final orders, without any previous notice to the duke of Portland, upon the last Board day before their adjournment for the holydays ; which effectually barred him from claiming the promise of the Board, to be heard in defence of his title, as the whole matter was over long before the Board met again.

Now comes the capital stroke in their defence, viz. to assign their reason for the violation of a direct engagement and promise, given to the duke of Portland from the Board on the 10th of October. I will state the words of the promise itself, and the motive assigned by the Board for dispensing with the observance of it, side by side, which will be the fairest way to state it ; and if the Treasury had

followed the same rule, by hearing the duke of Portland's defence of his title, as well as the attack upon it, we had never come to this crimination.

Oct. 10, 1767.

Jan. 8, 1768.

And I am directed to assure your Grace, that no step shall be taken towards the decision of the matter in question, till your Grace's title has been stated, referred to, and reported upon, by the proper officer, and fully and maturely considered by the Board.

I laid it (viz. your Memorial) before the Board without a moment's delay, and in preference to all other papers, and upon my acquainting the Lords that I understood from your Grace's agent, that the state of your Grace's claim and right to the forest, might be drawn up and prepared in a short time (a condition which however he had never acquainted the duke of Portland with before) their Lordships were pleased to order me, to write to your Grace the letter of the 10th of October.

Here is a secret transaction between the Board and the Secretary, that has never appeared yet; a mental reservation is a stale device; here is the most solemn and explicit engagement defeated in a whisper between them. But where is the condition in the promise? Why was it not specified that the Board would hear no evidence, unless produced by such or

such a day? Why was not a day fixed by the Board, and connected with this promise? Why was not this whisper about a short day, conveyed to the duke of Portland, in the course of the negotiations subsequent to the 10th of October? Why was he not cited for delay? On the contrary, the duke of Portland has expressly *not* been charged with neglect or delay, in the answer to his enquiries, whether the Board thought him chargeable in that respect. I go no farther than this, tho', for my own part, I wish some letters that were not official were laid before the public: but I think I have a right to say what is *not* in them.

Take another view of the disposition to justice and equity, in a Board, where the Secretary draws a picture of himself, interceding that the duke of Portland may be heard in defence of his title. I think I could very fairly draw this comment, or translation, out of Mr. Cooper's letter. My Lord, I do assure you, the Board was in a very ill disposition towards you, notwithstanding all their expressions of personal regard. Sir James Lowther, and perhaps somebody else, would have been incensed to the highest degree, if they had shewn you any pittance of favour; besides, the elections were so near, and their Lordships' heads were so full of them, that I began to tremble for you. In this deplorable prospect for your Grace's affairs, I could not refrain from putting in a word in your favour. Perhaps, said I, his Grace will not be a great while in stating his title, and it would at least have the *appearance* of justice; (for you know it would have been their own fault if they had allowed you any more than the *appearance*.) I was timorous,

and afraid of asking too much ; but what did possess their Lordships, all of a sudden, to give you a promise so explicit, so unbounded, without any reservation, and so consistent with every principle of honour, equity, and justice, is as much beyond my comprehension, as it is beyond my power, either to deny, or justify the breach of it.

The very next paragraph of Mr. Cooper's letter represents him, as again under the necessity of interposing his good offices, seeming to foresee, that the duke of Portland could have but little to expect, from any candour in the Board; unassisted by his friendly endeavours. In speaking of the memorial to the Board, desiring the inspection of the Surveyor's office, he adds, *I assured your Grace's agent, upon this occasion, that I would use my best endeavours, that this indulgence might be granted to your Grace's request.* Yet I will not omit this opportunity of doing justice to Mr. Cooper's candid and friendly conduct throughout the course of this transaction. I would make an apology *personally* to him, if I thought there wanted any, for the liberty that I take in commenting upon his *official* letters ; but every one will consider, the sophistry, reservations, and double dealing, which are unavoidable in so lame a cause, as merely *official* ; and I will venture to say, that those who know him best, will least think him capable of *personally* taking part, in any transaction inconsistent with the punctilios of a man of honour.

But to proceed—The Surveyor-General, it is said, gave such reasons for not permitting the inspection of his office, as were satisfactory to the Board.—Upon this head, I do allow, if that office is not public, nor an office of record, the duke of Portland had

not a claim, *ex debito justitiae*, to the inspection. But the Treasury will not stop here, they contend farther, viz. that the precedent of permitting an ancient crown grantee to defend his title out of those very materials, upon which his grant was originally made, and is now attacked, *will be a prejudice to the King's interest on future similar occasions, and create great inconvenience in the future management of the land revenue.* That is to say, in plain English: Let any crown grantee have, *bona fide*, ever so good a title, yet, if, by length of time, or any casualty, he has the misfortune to lose the proof of his title, although there shall be lying in the Surveyor's office sufficient proof of his right, yet the King shall recover such estate, notwithstanding the real right of the possessor, while the Surveyor-General knowingly suppresses the evidences of the true right.

I have heard of seditious libels tending to alienate the affections of the subject. In what class then shall this assertion be ranked? That it is the interest of the Crown to rob the private subject of his just property, because he may have lost his title deeds, the Crown's officer having a power to secrete the proof of his right, let it be ever so clear; and perhaps, that very same officer, having trumped up a false or partial report in favour of some informer, to involve any crown grantee whatsoever, that shall be obnoxious to the administration for the time being, in a law-suit, without producing the vouchers for the proof of his report. But it is going farther off than we need, to consider what future evils may arise out of this detestable principle. Look at the instance before us. The Treasury have instituted a law-suit against the duke of Portland, for an estate in value about 30,000*l.* upon no other sug-

gestion whatsoever, than that Mr. Zachary Chambers has reported unfavourably to his title, and has refused to produce the vouchers.

Upon the inspection of the Surveyor's office being denied, the apology proceeds to say, that *it not appearing to their Lordships, from any thing alledged on the part of your Grace's agents, that the state of your claim to the inheritance of the forest in question (which the Board had, by its former order of the 10th of October, undertaken to refer to the Surveyor-General) could be prepared without such inspection,* the Lords ordered the grant to sir James Lowther, &c. The matter conveyed in this part might be cut very short; *it not appearing to their Lordships, from any thing alledged, &c.* These words seem intended to convey, that they had, at least, made some enquiry, and that the agent had alledged nothing, on the duke of Portland's part, to suspend their decision; but this was so far from being the case, that no such enquiry was made by the Board, either on the day when the leases were ordered to sir James Lowther, or in any part of the transaction, directly or indirectly. How then could the Lords of the Treasury think themselves entitled, in point of justice, to such an inference, not having made any enquiry about the matter? But perhaps it may be thought (for I know such reports have been industriously spread) that the Treasury waited a *reasonable* time, after the duke of Portland, or his agents were informed, that they were not to inspect the Surveyor's office; and upon no steps being taken by them towards offering their defence, the Treasury concluded, that they had dropped their point, and therefore proceeded to order the

grant to sir James Lowther. I must still insist, that the plainest way, without any negative inferences, would have been for the Board to have asked the duke of Portland, whether he had withdrawn his claim to be heard or no; and what I think any Board, meaning to act with honesty and impartiality, would have done. However, supposing them to have waited a *reasonable* time, what would any one guess to be a *reasonable* time, to conclude, because the duke of Portland did not obtrude his title, of his own accord, without any citation or day fixed by the Board, that he had therefore no evidence, among his family papers, or the public records, relating to crown lands, of weight enough to balance the partial report of any ignorant Land Surveyor. But I will not perplex the reader with a question, where his labour will be so entirely thrown away; for, whatever might have been *reasonable*, they gave the duke of Portland no time, or previous notice, at all.

It has been shewn, how studiously the Board avoided to inform him, or his agent, that the inspection of the Surveyor's office was denied, till they sent him information, by the very same post, that they had decided the grant in favour of sir James Lowther; and *that* upon the very last board-day before Christmas. Here I repeat my voucher. Mr. Cooper, in his letter of the 22d of December, says, *the duke of Grafton commands me to present his respects to your Grace, and to acquaint you, that upon reading a report of the Surveyor-General, (of which I have the honour to send your Grace a copy,) &c. &c. the Lords found themselves obliged, by the course and practice of office, to direct*

a grant to be made to sir James Lowther, &c. &c. By this indubitable testimony from Mr. Cooper, it may be seen, that the information of both these points got to the duke of Portland together, when all was over, and the Board adjourned.

But observe how dexterously this thing was conducted, to defeat the duke of Portland from laying his title before the Board. The Surveyor's report, denying inspection, was dated the 15th of December; and the Board sat a week after that. If the Duke had been immediately informed of it, and that the leases were to be ordered out, there would have been time for him to present a memorial to appoint a day, either before or after the holydays; which memorial nothing could have stopped, but delaying the information till the last Board before the holydays; by which trick (as has been expressed before) the members of the Board proceeded without interruption, during the Christmas, to go through the finishing forms of the grant; whereas, if the several steps had been taken, out of holyday time, at so many public Boards in the face of day, and with the knowledge of the parties interested (as any honest act might have been) this grant could not have passed, through the necessary stages, without the defendant laying in his claim, in point of justice, and by promise of having his title fully and maturely considered. By this piece of dexterity to suppress the Surveyor's report denying inspection, till the leases were ordered, and out of the reach of any memorial to stop them, let any impartial man give his judgment what the intentions of the Board were.

Let us descend a little farther into particulars, and take a specimen of most exquisite conduct in carrying a clandestine point. The Board having determined to grant the leases, a warrant was sent on the 17th of December, to the Surveyor-General, to make out the *constats*; that is to say, the particulars of the lands, &c. descriptively to be inserted into the leases. This was finished by the 21st, as appears by the date of the *constats*. On the 22d, the Lords sent a *fiat*; that is, a warrant to the Clerk of the Pipe, to make out the draught of leases according to those *constats*. All subsequent forms were capable of being executed (as they really were) during the holydays. Mark then how nicely the thing was calculated. The 17th of December was on a Thursday. If the Board had informed the duke of Portland of their proceedings by that post, he could have sent notice to his agents by the Monday following at the latest (sooner if by express) and have presented a memorial on Tuesday the 22d of December, the last board day before the holydays. Had their Lordships wrote on the 18th, a memorial might still have been ready by the 22d. Nay, they would not even trust the 19th, which left but three days for a memorial to be drawn up, after a journey of three hundred miles round; but on the 22d, the day of adjournment, when the deed was done, and the perpetrators thought themselves out of reach, they informed him, *with every possible mark of attention and respect*, of their mischievous intentions, that they had cut a great gash in his rent-roll, but (unfortunately) their decisions were not final in law. In all this, there is such manifest study to lie concealed, and to

avoid detection, that I will call it *an overt-act* of concealment.

We are almost got to the end of this ministerial apology, which, I am sure, the reader will be as glad of as myself, for poking into the dark and vicious recesses of concealment, equivocation and treachery, is nauseous to the moral sense, and an office no more to be coveted, than the clerk of the arraigns to the Old Bailey.

Mr. Cooper concludes by saying, that the duke of Grafton signed the order with the greatest reluctance. Then, in God's name, why did he sign it at all, without advising with the crown lawyers, hearing the duke of Portland's defence, or even informing him? The demur of any other Lord might not have stopped the proceedings of the Board, but, without question, if the First Lord of the Treasury had declared his reluctance till the promise to the duke of Portland, of maturely considering his title had been fulfilled, his single suspense might have prevented all that is now complained of.

*Talibus insidiis, perjurique arte Sinonis,
Perdita res*

We are at last got to the end of this ministerial apology, which finishes the narrative of facts. I need say nothing to assure the public that I have stated them truly, because any one may see the original vouchers at length in the Appendix. As to facts of less note, viz. such as passed between the clerks of the Treasury, and the duke of Portland's agents, the main points of the question do not turn upon them. But suppose such a point as this should be called in question; whether the

agent paid a fee at the Treasury for a supposed order to inspect the Surveyor's office on the 17th of December, which was two days after the report from the Surveyor to the Board, finally denying the inspection; the evidence to prove this is from the attorney's books, who paid the guinea upon that day. Or suppose they should equivocate about signing the leases at their private houses—To be sure they might be signed at a tavern, or at sir James Lowther's, or any where else, but it was private, and not at a Board, for the letters patent were dated the 28th of December, 1767, according to sir James Lowther's own advertisement, and the last Board was on the 22d. I bar all these petty-fogging tricks, because I know the runners of administration have been, and will be, very assiduous, to propagate any falsehood just for the day. We had a story, not long ago, most confidently asserted, to palliate the conduct of the Treasury. It was said, that the whole grant to sir James Lowther was but a trifling estate of seventy pounds a-year. Let every one consider whether sir James Lowther would think it worth his while, to take an estate of seventy pounds a-year, paying fifty pounds reserved rent to the Crown, and a third part of the yearly rent, over and above that fifty pounds *per annum*, of what he shall recover after a law-suit with the duke of Portland. *Sic de similibus.* But the public will require an account at their hands, of the notorious features in this transaction. There is an instinctive judgment in the impartial public, which no minister can equivocate them out of, a sort of national jury, whose verdict *Guilty* is a formidable sentence.

Methinks I hear a plain, blunt man, who fears it may be his turn next, say, Did not

they grant away the duke of Portland's estate without hearing him? Answer me that. Did not they promise to hear him, and did not they break their promise? Answer me that. Did they consult the Attorney-General, or any of the Crown lawyers? Answer me that. What honest motive could they have to grant away any man's estate without hearing evidence or law? I should be glad to know that. Was it not done at the eve of an election, while a contest for Cumberland was depending, and given to sir James Lowther, one of the candidates? What could that be for but to intimidate the free-holders? for if the estate was the King's, what right had sir James Lowther to it more than any other man? Did not they lay their heads together with a man called the Surveyor-General? and upon his report alone, grant away the duke of Portland's property without examining the Surveyor's vouchers by the King's counsel, or letting any body else see them? O! but they say that is *legal*, because his office is not public, but a private one. So much the worse; that a man's estate should be granted away upon the secret suggestion (without proof) of a private inquisitorial office; and to mend the matter, the Treasury think it *legal* too, to decide without hearing evidence or law. At this rate, any man's estate that votes against ministry may be granted away to some minister's favourite, or some favourite's favourite, for the reward of voting with them. These evils, if they are *legal*, require a speedy remedy before they spread.

When any question is debated, touching public grievances, or any remedy is proposed to prevent such for the future, the administration are instantly in arms, and range themselves, as it were by in-

stinct, in battalion, to repel what they consider as their enemy, let it be ever so friendly to the public; as if the general good of the community, and the particular objects of administration, were in their own natures, inconsistent and incompatible. Is it then confessed, that the vexation and disquiet of the subject is their view? Why else should they be so strenuous to stifle a law, in the very first step, for quieting the possessions of the subject? But perhaps they had not consulted some superior oracle, who controls, not only their actions, but even their words and thoughts. I cannot feel respect enough for these pageants that are put into the place of ministers, to be angry with them; God help them! they scarcely know who it is that controls them, much less to what ends they are conducted. What are they but babies learning to lisp prerogative and *nullum tempus*?—But mark, by their babbling, what lessons they have been taught in their nursery.—There shall be no quiet for the subject.—We will hear of no such law. *Prerogative is a precious jewel of the Crown.* The subject shall have no place of security to lay his head, or whereon to rest the sole of his foot. Terror, search, vexation, persecution are the *precious jewels of the Crown*.—Thanks to them for giving us this warning; but if their preceptor should chastise them for their tell-tale folly, I cannot pity them. I do not ask where their instructor lives, who teaches these maxims, or who he is, for I shall not put myself under his tuition; but I will tell these boys where they did *not* learn them. They did not receive them from one, whose glory is that he was born a Briton. Shall, then, the ministers of a prince, who esteems the liberty of the subject, and the security of their

property, the *only jewels of his Crown*, shall they stand between, and deprive us of that peace and quiet, which was not denied to the subject, in the most vexatious times of prerogative, by the founder of the Stuart line?

Hear them again.—*Nullum tempus occurrit regi.* By this law, which shall be maintained in its utmost severity, we will provide an ample and never-failing revenue for the Crown, by proscriptions, confiscations, and the whole train of legal rapine.—What! are we but in the beginning of things? Is that violent act, which we thought to proceed merely from an impotent rage at an election; is it, I say, but the flash of the priming? Is it but the first act of a pestilent system, that is already planned with endless malice afore-thought? The private English subject, who has so lately contributed millions upon millions, without repining, to purchase national honour and security—honour abroad, and peace at home—to him do you offer this consolation; that giving and granting is over for ever, but vengeance and plunder are substituted in their place? The soldier who returns to his native home, loaded with his country's honour, flattering himself to enjoy some rest from the toils of war in his paternal retreat; thinking to beat his spear into a plow-share, and his sword into a reaping-hook—will it staunch his wounds, will it administer comfort to the aches of his heart, to greet him with the news; that all which he can now call his own, his house, gardens, parks, meadows, woods, patrimony, mansion, with every thing so situate, lying, being and thereunto belonging, is marked for confiscation; that he may repose his head upon his laurels, but that his

lot, and the reward of his labours, is to be poverty and exile?

*Tunc miles tremulus positā tulit arma tiarā,
Et ruit ante aram summi Jovis, ut vetulus bos,
Qui domini cultris tenue et miserabile collum
Præbet, ab ingrato jam fastiditus aratro.*

One should hardly have conceived in whose heart or head such horrid plans of tyranny and vexation could be devised, if the untutored folly of these mock ministers had not blurted it out, but we are told that this of confiscations is but part of a magnificent plan for resuming forest claims, and reviving the forest laws. Perambulate, level encroachments, trample down the vineyard and the waving corn, expel the cottager, who, with two hundred years' mistaken labour, has made the forest bring forth food for the use of man. Spare not his little ewe lamb, for that too has grazed feloniously on the royal demesnes. Search, validate the dormant claims of the Crown; the resources must be made good, they must be restored by such windfalls as it shall please God to send, in the lapse of time, and by the destruction of family writings. We have two hundred and five years to range in, the civil wars have intervened; fire, deaths, attorneys, executors, and their executors, may have destroyed or mislaid the parchment: here is rich plunder for the public; fall on, spare not, no not one; royalists, Hampdens, sons of the revolution *nullo discrimine*. Of all the wonders that I ever yet have met with, it is the most astonishing, to have heard, in open parliament, a deliberate proposal, in cold blood, of raising a revenue from a concerted system of

search for confiscations; not for any crimes committed, or any in contemplation; but as the ungracious recompence for all the glorious and immortal virtues of those men, who have heretofore rescued this kingdom from oppression. Plunder the posterity of those heroes, on whom was heretofore bestowed the reward of their valour and virtues with unregretted munificence. We have been too liberal. We have rewarded the supporters of liberty, and of the Protestant cause, with too prodigal a hand; we have purchased these baubles at too dear a price. Resume, confiscate, replenish the public coffers with the spoils of patriotism. *Si ærarium ambitione exhauserimus, per scelera replendum erit.*

APPENDIX

TO A CELEBRATED CASE.

NUMBER I.

July 9, 1767.

To the Right Hon. the LORDS COMMISSIONERS of his MAJESTY'S TREASURY.

The MEMORIAL of Sir JAS. LOWTHER, Bart.

SHEWETH,

THAT his Majesty, in right of his crown, is seised of the forest of Inglewood, in the county of Cumberland, and of the manor of the socage of the castle of Carlisle, with the appurtenants belonging to the said forest and manor.

That the memorialist is informed that the possession of the above premises has been for many years withheld from the Crown, and that no benefit arises to the Crown therefrom.

Therefore prays a lease of his Majesty's interest therein to himself, his heirs, and assigns for three lives, on such terms as to their lordships should seem meet.

NUMBER II.

August 7, 1767.

THE Surveyor-general reports, in answer to the foregoing memorial, his opinion as to the title of the lands in question. The former part is merely a recital of technical terms in law, relating to the duke of Portland's private property, and belongs only to a court of law. It concludes in these words:

That, with regard to the memorialist's request of a lease of the premises remaining in the Crown, he was of opinion, a lease of his Majesty's interest in the forest of Inglewood, and of the rents, royalties, and services might be granted to him for 99 years, determinable on three such lives as he should nominate, reserving to his Majesty, his heirs, and successors, the yearly rent of 13s. 4d. and one third of the yearly profits of what should be recovered, and to pass with fine in regard to the trouble and expenses he might be put to in recov-

vering the premises, and bringing them in charge for the benefit of the Crown after so long an intrusion.

And that the lease of the manor of the soccage of Carlisle, with the courts, royalties, and lands, might be granted to him for a like term, reserving the ancient rent of 50*l.* per annum, and one third of the yearly rent of what shall be recovered above the rent of 50*l.* per annum, which would be agreeable to the Civil List Act.

NUMBER III.

October 9, 1767.

To the Right Hon. the Lords Commissioners of his Majesty's Treasury.

The MEMORIAL of the Most Noble WILLIAM HENRY CAVENDISH, duke of Portland.

SHEWETH,

THAT your memorialist has been informed, that sir James Lowther, bart. lately presented a memorial to your lordships, praying a grant of a lease of the forest of Inglewood, in the county of Cumberland, and several other premises in the same county for three lives, on such terms as to your lordships shall seem meet.

That the said forest and premises were upwards of 70 years ago granted from the Crown to one of your memorialist's ancestors in fee, who, with your memorialist, have ever since been in the actual possession thereof.

Your memorialist therefore hopes your lordships will be pleased at present to postpone the consideration of the said memorial, and grant him leave to be heard by himself or counsel against the prayer thereof, that he may manifest his right and interest in the aforesaid premises.

NUMBER IV.

Treasury Chambers, Oct. 10, 1767.

MY LORD,

A MEMORIAL of your Grace to the Board of Treasury, with respect to the forest of Inglewood, was delivered to me yesterday by your Grace's agent; I did not

lose a moment in bringing it before the lords; I gave it place of all other papers; and upon its being read, the duke of Grafton, and the other lords, were pleased to direct me to acquaint your Grace, that if you would be pleased to lay before them a state of your claim and title to the forest of Inglewood, they would refer it to the Surveyor-general, and send him back also at the same time his report upon the memorial of sir James Lowther for his further consideration; *and I am directed also to assure your Grace, that no step shall be taken towards the decision of the matter in question till your Grace's title has been stated, referred to, and reported on by the proper officer, and fully and maturely considered by the Board of Treasury.*—

I have the honour to be, &c.

GREY COOPER.

NUMBER V.

December 2, 1767.

To the Right Hon. the Lords Commissioners of his Majesty's Treasury.

The MEMORIAL of the Most Noble WILLIAM HENRY, Duke of Portland,

SHEWETH,

THAT your memorialist, and those under whom he claims, have been seventy years and upwards in the quiet and uninterrupted possession of the forest of Inglewood, and the manor of the soccage of the castle of Carlisle, in the county of Cumberland, and of divers lands, tenements, and hereditaments within the said forest and county under a grant from the Crown.

That sir James Lowther, bart. in June last, in a secret underhand manner, without the least notice or intimation given to your memorialist, applied to your lordships by memorial, praying a lease of the said forest, manor and premises; and, upon the 9th day of July last, your lordships were pleased to make an order, referring it to the Surveyor-general to examine and report his opinion thereon.

That the Surveyor-general, without calling on your memorialist to support his title, or giving your memorialist the least notice or opportunity of being heard,

made his report upon 7th August last, (in less than a month after the order of reference) advising your lordships to grant the lease desired on the terms therein mentioned, and thereby refers to divers ancient surveys, court-rolls, and other instruments.

That your lordships having adjourned soon after making the said order of reference, and your memorialist's counsel and agents, during the recess of business, being retired into the country, your memorialist presented a memorial to your lordships, desiring your lordships would be pleased to postpone the consideration of the said memorial, and give him leave to be heard by himself or counsel against the prayer thereof, that he might manifest his title and interest in the aforesaid premises, which your lordships were pleased to grant.

That your memorialist's agent, upon the 20th October last, applied to the Surveyor-general for leave to inspect the surveys, court-rolls, and other instruments referred to by his said report, or at least such of them as were in his possession, when Zachary Chambers, esq. the Surveyor's deputy, took time to consider of such request, and directed your memorialist's agent to attend him again on the 22d October, when he declared the Surveyor-general had given him directions not to produce any papers. That the Surveyor-general's office was not a public office, and therefore not obliged to produce records for inspection, and that he could not suffer any to be inspected without a superior order.

Therefore, and in regard all public records ought, and by all Courts of Judicature are, directed to be inspected for the benefit of the parties interested, your memorialist prays your lordships' directions to the Surveyor-general, to permit your memorialist's agents to inspect all the surveys, court-rolls, and other muniments and writings in his custody relating to the matters in question, and that your memorialist may be at liberty to take copies thereof, or of such parts thereof as he shall be advised, that your memorialist may be enabled to lay the merits of his case before his counsel, and manifest his title to your lordships.

NUMBER VI.

MAY IT PLEASE YOUR LORDSHIPS,

I HAVE received your lordships' directions by letter from Mr. Bradshaw, dated the 12th instant, desiring me to suffer the agents of his Grace the duke of Portland to inspect the court-rolls and other muniments and writings relating to the forest of Inglewood, and the manor of the socage of the castle of Carlisle, in the county of Cumberland, in my custody, it having been suggested to your lordships that I had an objection to his Grace's request.

I beg leave to inform your lordships, that, about three weeks ago, an agent of the duke of Portland applied to me to inspect the surveys, and other evidences in my office, which are mentioned, or referred to in my report to your lordships on the memorial of sir James Lowther, bearing date the 7th day of August last (of which they had obtained a copy); and on my enquiring to what use or purposes he wanted them, he said, that he apprehended he was entitled to the inheritance of the forest aforementioned, and should dispute the right of the Crown thereto, on which he was acquainted, by my direction, that I should not suffer them to be inspected, as the surveys and evidences in my custody were not public records, but kept there for the King's use only; and I have heard nothing since relating to that matter till yesterday, when I received the letter above-mentioned.

As to the propriety of the Duke's request, I humbly apprehend, that the permitting the King's deeds and evidences to be inspected by the agents of any persons who avowedly intend to contest the rights of the Crown, would be a bad precedent, and may be detrimental to his Majesty's interest on future occasions; and I think the shortest way will be to try the right of the Crown, which sir James Lowther is ready to do at his own expense, if your lordships shall think fit to grant him the desired lease.

All which is humbly submitted to your lordships' wisdom;

ROBERT HERBERT, Surveyor-general.

December 15, 1767.

NUMBER VII.

MY LORD, *Treasury Chambers, Dec. 22, 1767.*

THE duke of Grafton commands me to present his respects to your Grace, and to acquaint you, that, upon reading a report of the Surveyor-general (of which I have the honour to send your Grace a copy) and upon taking into consideration a former report of the same officer, dated in the month of August last, relating to the forest of Inglewood; in which he is clearly of opinion, that the lands in question are not included in the grants made to the earl of Portland by king William, and that they are now vested in the Crown; the lords found themselves obliged, by the course and practice of office, to direct a grant to be made to sir James Lowther (pursuant to the recommendation of two successive reports of the Surveyor-general) upon his undertaking to try the right of the Crown at his own expense, and upon his conforming to the other conditions mentioned in the said report; I am directed to assure your Grace, that the lords received and entertained your Grace's memorials relative to this matter, with every possible mark of attention and respect, but that in all cases where it appears that the title to the inheritance of the King's estate is contested, the Board is guided by the opinion of the Surveyor-general, in whose custody all the evidences and records relating to the crown lands are deposited, and to whom all matters and questions of this nature are referred. My lords have at the same time the satisfaction to know, that no act of their Board, done in necessary compliance with the rules and duties of their office, can decide any legal right, or affect any claim which your Grace may have to the inheritance of the lands or forest in question.

I have the honour to be, &c.

GREY COOPER.

NUMBER VIII.

Copy of Mr. Cooper's Letter to the Duke of Portland.

MY LORD,

January 8, 1768.

As I have but too much reason to apprehend that your Grace's last letter to the duke of Grafton, relative to the forest of Inglewood, which has given him

much real concern, was, in a great measure, occasioned by my not having explained to your Grace so fully as I ought, the grounds and motives on which the Board appeared to me to have proceeded during the course of this whole transaction ; I most humbly beg your Grace's permission to lay before you, more at large than I did in the last letter which I had the honour of writing to you, what I conceive to be the real state of the circumstances of the case. The Surveyor-general, in his first report, dated in August last, declares his opinion, that the forest of Inglewood is not in grant, but actually vested in the crown, and recommends and advises that a lease of the said forest may be granted to sir James Lowther, for such a term, at such a rent, and on such conditions as are therein mentioned. In ordinary cases, according to the ancient practice and precedents of the Treasury, reports of this nature are immediately approved of upon being read, and leases are ordered in conformity to such opinions. In this instance, the consideration of the report was postponed, with many expressions and marks on the part of the Duke, and the whole Board, of the greatest personal regard for your Grace.

On the 9th of October last, being the day on which the lords met after the adjournment, your Grace's first memorial was delivered to me : I laid it before the Board without a moment's delay, and in preference to all other papers ; and upon my acquainting the lords, that I understood, from my conversation with your Grace's agent, that a state of your Grace's claim and right to the forest might be drawn up and prepared in a short time ; their lordships commanded me to write to your Grace the letter dated the 10th of October, a copy of which you was pleased to send inclosed to the duke of Grafton. From the time of this order all proceedings of the Board were suspended, and the whole matter slept till it revived by your Grace's memorial ; in which you pray my lords' directions to the Surveyor-general to permit your agents to inspect the surveys and records in his office, and to take copies thereof, or such parts thereof as you should be advised.

I assured your Grace's agent, upon this occasion, that I would use my best endeavours that this indulgence might be granted to your Grace's request. Upon reading this memorial, the Board were of opinion, that the

records and papers in the custody of the Surveyor-general were not public records, but merely the evidences and the deeds of the estates of the Crown, and that no person had a right *ex debito justitiae* to inspect or take copies of such records, without a special case made for that purpose: but it being suggested that the Surveyor-general had no objection to the inspection desired by your Grace, the Board ordered that your Grace's agents might be permitted to make such inspection, and to take copies of papers and records, in case the Surveyor-general had no objection thereto. Upon this order the Surveyor made his second report, a copy of which accompanied the last letter which I had the honour of writing to your Grace on this subject: His objections to the inspection were so strongly marked and expressed, that the lords were of opinion that they could not direct it to be allowed, without the hazard of great inconvenience and prejudice to his Majesty's interest on future similar occasions and applications; and it not appearing to them, from any thing alledged on the part of your Grace's agent, that the state of your claim to the inheritance of the forest in question, (which the Board had by its former order of the 9th of October undertaken to refer to the Surveyor-general) could be prepared without such inspection, the lords found themselves under the necessity of yielding to the usage of precedents of office, in ordering a grant to be made to sir James Lowther, in pursuance of the clear opinion and repeated recommendations of the Surveyor-general. Upon the whole matter, I think it a debt due to truth and justice to assure your Grace, that the duke of Grafton shewed the greatest reluctance and unwillingness to make any order which might carry even the appearance of affecting your Grace's claim to the lands in question, and that he withheld his assent so long as he thought he could do it, without establishing a precedent which might create great inconvenience in the future management of the land revenue, and prejudice the interests of the Crown committed to his care.

I have the honour to be, &c.

GREY COOPER.

NUMBER

NUMBER IX.

EXTRACTS FROM THE CONSTATS.

County of Cumberland.

All that forest, called the forest of Inglewood, with the rights, members, and appurtenances, &c. &c. &c.

In like manner,

All that the manor of the socage of the castle of Carlisle, with all and singular the rights, members, &c. &c. &c.

Then follows to each,

This constat is made forth and rated by virtue of a warrant from the Right Hon. the Lords Commissioners of his Majesty's Treasury, *bearing date the 17th day of this instant December*, in order to a lease of the premises, with their appurtenances, to be passed under the Exchequer seal to sir James Lowther, &c. &c. &c.

Examined by me, ROBERT HERBERT,
Surveyor-General,
Dec. 21, 1767.

This voucher is inserted to prove, that the definitive order of the Board to proceed in the leases was signed on the 17th of December, according to the reference in the Surveyor's report, annexed to each constat, although the Board suppressed this order from the duke of Portland's knowledge, till after they had adjourned for the holidays.

F I N I S.

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NUMBER LX

THE HISTORY OF THE COMMUNES

IN THE STATE OF CALIFORNIA

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ERRATA.

Page 177, line 14, *for "lord Rochfort," read "lord Rochford."*

— 183, — 17, — “a new tragedy, called the Fall of Mortimer,” *read “a new edition of the tragedy called the Fall of Mortimer.”*

— 188, — 13, — “paquet,” *read “pacquet.”*

— 18, idem.

— 189, — 5, idem.

— 192, — 17, — “suppositious,” *read “supposititious.”*

THEORY

of the theory of the development of the individual, and of the development of the species, and of the development of society, and of the development of the material world.

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